

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.34980 of 2022**

Arising Out of PS. Case No.-208 Year-2021 Thana- NOORSARAI District- Nalanda

RAM ITTAR CHOUHAN SON OF AYODHYA CHAUHAN R/O-  
CHARUYI, BELDARI, P.S.- NOORSARAY, DISTRICT- NALANDA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ritesh Kumar  
For the Opposite Party/s : Mrs. Pushpa Sinha

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN  
ORAL ORDER**

3      02-11-2022      Heard the parties.

Learned counsel for the petitioner states that in the prayer portion of the bail application it is wrongly typed as Noorsaray P.S. Case no. 405 of 2020, instead of Noorsaray P.S. Case No.208 of 2021. He prays to correct the same.

He is permitted to do so.

Let Noorsaray P.S. Case No.405 of 2020 at last prayer portion be read as Noorsaray P.S. Case No.208 of 2021.

Learned counsel for the petitioner is directed to remove the defects within four weeks.

Petitioner apprehends his arrest in connection with a case registered for the offence punishable u/s 272 & 273 of the IPC and 30(a) of the Bihar Prohibition and Excise Act, 2016.

Altogether 4 litres of country made liquor is said to have



been recovered from the place of occurrence.

Learned counsel for the petitioner submits that petitioner is quite innocent and has not committed any offence as alleged in the FIR. Petitioner has been falsely implicated in this case at the instance of his enemies. Petitioner has neither been apprehended on the spot nor any incriminating article has been recovered from his conscious physical possession. He has no concern either with the seized liquor or any trade of liquor. His name transpired in the present case on the basis of statement of local chawkidar. Petitioner has one criminal antecedent in similar nature, as also mentioned in para-3 of the bail application.

Petitioner is agreed to deposit a sum of Rs. 20,000.00/- (Rupees Twenty Thousand) in the Patna High Court Legal Services Committee, Patna bearing Account No.1413010060836, IFSC PUNB0141320, Punjab National Bank, Bar Council Branch, Patna.

Considering the aforesaid facts and circumstances, let the petitioner, named above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand) with two



sureties of the like amount each to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Noorsaray P.S. Case No.208 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C, as also the following conditions.

(1) That one of the bailors will be a close relative of the petitioner, who will give an affidavit giving genealogy as to how he is related with the petitioner. He will also undertake to inform the Court if there is any change in the address of the petitioner.

(2) The bailor shall also state on affidavit that he will inform the Court concerned if the petitioner is implicated in any other case of similar nature and thereafter the Court below will be at liberty to initiate proceeding for cancellation of anticipatory bail on the ground of misuse.

The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of Rs.20,000.00/- (Rupees Twenty Thousand) in the Patna High Court Legal Services Committee.

**(Anjani Kumar Sharan, J)**

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