

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50908 of 2021

Arising Out of PS. Case No.-172 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Saran

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Amarnath Chauhan Son of Rampat Chauhan @ Rampati Chauhan Resident of
Village - Olitpur Bhira, P.S.- Ghosi, District - Mau (U.P.)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manjeet Kumar Mishra, Advocate.
For the Opposite Party/s : Mr. Md. Shakir Ahmad, APP.

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 30-03-2022 Learned counsel for the petitioner is permitted to
remove defect(s), as pointed out by the office, if any, within a
period of four weeks from today.

Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

The instant application has been filed for grant of
regular bail to the petitioner, above named, who has been made
accused in connection with Saran Excise Case No. 172 of 2021
registered for the offences punishable under Section 30(a) of the
Bihar Prohibition and Excise Act, 2016.

The prosecution case is that during the course of
patrolling one vehicle was intercepted and two persons were
apprehended by the Police, who disclosed their name as



Amarnath Chauhan (The Petitioner) and Dinesh Kumar.

It is further alleged that from the vehicle 129.600 litres of contraband liquor has been recovered which was kept hidden. The Police has seized said vehicle.

It is submitted on behalf of the petitioner that the petitioner is only a driver of the alleged vehicle and having no criminal antecedent and is rotting in jail since 26.07.2021. It is further submitted that the charge-sheet has already been submitted and there is no chance of absconding of the petitioner and tampering with the evidence.

Considering the materials available on record, let the petitioner be released on bail on furnishing bail bonds of Rs. 20,000/ (twenty thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge-cum-Special Judge, Excise, Saran in connection with Saran Excise Case No. 172 of 2021, subject to the following conditions:

(a) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court below and shall remain physically present as directed by the Court below and in case of his absence on two consecutive dates without cogent reason, his bail bonds shall be cancelled by the



Court below.

(b) If the petitioner tampers with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

(Harish Kumar, J)

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