

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58377 of 2021

Arising Out of PS. Case No.-191 Year-2021 Thana- NAWADA MUFFASIL District- Nawada

1. Ramanuj Chauhan Son of Yogendra Chauhan Resident of Village- Barhi Bigha, P.S.-Muffasil (Mufassil), District- Nawada.
2. Akhilesh Chauhan Son of Late Mahendra Chauhan Resident of Village- Barhi Bigha, P.S.-Muffasil (Mufassil), District- Nawada.
3. Yogendra Chauhan Son of Ramlagan Chauhan Resident of Village- Barhi Bigha, P.S.-Muffasil (Mufassil), District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arjun Prasad, Advocate
For the Opposite Party/s : Mr. Kanhaiya Kishore, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 07-01-2022 Heard learned counsel for the petitioners and Shri Kanhaiya Kishore, learned A.P.P. for the State through virtual court proceedings.

The petitioners seek regular bail in connection with Muffasil P.S. Case No. 191 of 2021 instituted for the offences under Sections 30(a) (d) and 41 of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioners submits that the petitioner is in custody since 08.07.2021 and charge-sheet has been submitted in the case.

Learned counsel for the petitioners submits that from



perusal of the allegation as alleged in the F.I.R. it would manifest that the informant alleges that police received secret information that in village Barhi Bigha, one person named Ganesh Chauhan died after consuming illegal liquor, accordingly the police reached at the place of occurrence where the father of the deceased disclosed that these petitioners indulge in manufacturing of illegal liquor and at times people after drinking, die.

Learned counsel for the petitioners submits that admittedly from the F.I.R. it would manifest that the deceased had drunk liquor in the house of Rohan Chauhan and not in the house of this petitioners. Learned counsel further submits that petitioners have been made an accused merely on the basis of statement given by the father of the deceased.

Learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioners and submits that a father whose son has died would never speak lie and the father has rightly disclosed that these petitioners are indulging in manufacture of illegal liquor. It is true that the deceased did not die consuming liquor in the house or liquor manufactured by these petitioners rather he died after consuming liquor at the house of Rohan Chauhan.



Considering the fact that the petitioners are in custody since 08.07.2021 and charge-sheet has been submitted in the case, let the petitioners above named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-II-cum-Special Judge, Nawada in connection with Muffasil P.S. Case No. 191 of 2021 after framing of charge.

(Satyavrat Verma, J)

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