

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48945 of 2022

Arising Out of PS. Case No.-2 Year-2021 Thana- ATRI District- Gaya

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Ganesh Chauhan Son of Rambabu Chouhan, R/o village - Reula Chouthi,
P.S.- Atri, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha, Adv.

For the Opposite Party/s : Mr. Pushpa Sinha, APP.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 11-11-2022 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual mode.

The petitioner seeks regular bail in connection with
Atri P.S. Case No. 02 of 2021, lodged under Sections 272, 273
of Indian Penal Code read with Sections 30 (a) (d) of the Bihar
Prohibition and Excise Amendment Act, 2018.

As per prosecution case, the total recovery of 10 liters
of *mahua* wine is the subject matter relating to the present case.

Learned counsel for the petitioner submits that
petitioner petitioner is innocent and has committed no offence.
He further submits that nothing incriminating was recovered
from the possession of petitioner, his name has figured in this

case only due to the reason, that his antecedent is not clean and there are 2 criminal cases pending against him, in which he is on bail in both the cases and he is in custody since 02.06.2022 in the present case. He also submits that the other co-accused person of this case has already been granted bail by the Co-ordinate Bench of this Court vide order dated 26.05.2022 passed in Cr. Misc. No. 72194 of 2021.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Excise Court No.1, Gaya in connection with Atri P.S. Case No. 02 of 2021, subject to the conditions as laid down under Section 437(3) of Cr.P.C.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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