

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8872 of 2023

Arising Out of PS. Case No.-94 Year-2022 Thana- CHAORI District- Bhojpur

MANOJ CHAUHAN @ MANOJ CHAUDHARY SON OF MOHAN
CHAUHAN R/O VILLAGE- BABUBANDH, P.S.- CHAURI, DISTRICT-
BHOJPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 10472 of 2023

Arising Out of PS. Case No.-94 Year-2022 Thana- CHAORI District- Bhojpur

SONU CHAUHAN @ SONU KUMAR Son of Late Godhan Chauhan @
Vijay Chauhan @ Vijay Chauhan Resident of Village - Babubaudh, P.S.-
Chauri, District - Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 8872 of 2023)

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

For the Opposite Party/s : Mr.Akbar Ali, APP

(In CRIMINAL MISCELLANEOUS No. 10472 of 2023)

For the Petitioner/s : Mr.Awadhesh Kumar Pandey, Adv.

For the Opposite Party/s : Mr.Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 18-04-2023 As both these applications have cropped up from the

same police station case number, with the consent of the

parties, they are being taken up together and are being disposed

of by this common order.

Heard learned counsel for the petitioners and learned



APP for the State.

Petitioners apprehend their arrest in connection with a case registered for the offence punishable u/s 30(a) of the Bihar Excise Act.

Altogether 56 litres of country made liquor is said to have been recovered from the spot and petitioners are alleged to have fled away from the spot on seeing the police.

Learned counsel for the petitioners submits that petitioners are quite innocent and have not committed any offence as alleged in the FIR. Petitioners have been falsely implicated in this case at the instance of their enemies. Their name transpired in this case on the disclosure of their names by the local chaukidars. No incriminating article has been recovered from the conscious physical possession of the petitioners. They have no concern either with the seized liquor or any trade of liquor or the place of recovery. Petitioners have no criminal antecedent, as also mentioned in para-3 of the bail application.

Petitioners are agreed to deposit a sum of Rs.10,000.00/- (Rupees Ten Thousand) each in the Bihar State Bar Council Welfare Fund, bearing Account No.31861041899, IFSC SBIN0010340, State Bank of India, High Court Campus,



Patna.

Considering the aforesaid facts and circumstances, let the petitioners, named above, in the event of their 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) each 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 Chauri P.S. Case No.94 of 2022, 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 petitioners shall be accepted by the



learned Court below on showing receipt of the aforesaid
amount in the Bihar State Bar Council Welfare Fund.

(Anjani Kumar Sharan, J)

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