

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11837 of 2023

Arising Out of PS. Case No.-37 Year-2023 Thana- ARA NAWADA District- Bhojpur

DEV ATMANAND CHOURASIYA @ DEV ATYANAND CHOURASIYA
Son of Gupteshwar Prasad Chourasiya @ Gupteshwar Chourasiya R/o Village
- Amarpura, P.S.- Mohania, District - Kaimur (Bhabua)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 26339 of 2023

Arising Out of PS. Case No.-37 Year-2023 Thana- ARA NAWADA District- Bhojpur

RANJAN KUMAR @ RAJAN KUMAR Son of Jainiwash Sah Resident of
Village - Jawahar Tola, P.S.- Ara Nawada, District - Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 11837 of 2023)

For the Petitioner/s : Mr.Diwakar

For the Opposite Party/s : Mr.Ajit Kumar

(In CRIMINAL MISCELLANEOUS No. 26339 of 2023)

For the Petitioner/s : Mr.Raju Kumar Singh

For the Opposite Party/s : Mr.Shyam Bihari Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 09-05-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners have prayed for bail in a case
registered for the offence punishable under sections 30(a) of the
Bihar Prohibition & Excise Amendment Act.

Prosecution case relates to recovery of 113.280 litres



of IMFL from a CNG Tempo without registration number and three accused persons including the petitioners were apprehended on spot by patrolling police.

Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. Petitioners have no concern with the alleged recovery or with the vehicle in question. The alleged vehicle was a public transport and petitioners were sitting as passengers, unaware of the fact that liquor was kept inside. Provision of Section 100 CR.P.C. has not been properly followed by the police officials while preparing the seizure list. Petitioners have got no criminal antecedent and are languishing in judicial custody since 21.01.2023.

Learned APP appearing for the State has opposed the prayer of Bail.

Both the petitioners are directed to deposit Rs. 10,000/- (Rs. ten thousand) in the concerned DLSA.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) each with two



sureties of the like amount each to the satisfaction of the learned
Exclusive Special Excise Judge-1st, Bhojpur at Ara/concerned
court in connection with Ara Nawada P.S. Case No. 37 of 2023.

The bail bonds of the petitioners shall be accepted by
the learned court below on showing receipt of deposit of Rs.
10,000/- (ten thousand only) each by the petitioners in the
account of concerned DLSA.

(Sunil Kumar Panwar, J)

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