

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52259 of 2023

Arising Out of PS. Case No.-247 Year-2023 Thana- MADANPUR District- Aurangabad

Bulli Chouhan @ Sudina Noniyan (Sudina Noniya), Son Of Ramnarayan
Noniya R/O-Jamua, P.S.-MADANPUR, Distt.-AURANGABAD

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Yogendra Kumar Singh

For the Opposite Party/s : Mr.Humayou Ahmad Khan

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-08-2023 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Sections 30(a), 34, 36 of the Excise Act.

3. The learned counsel for the petitioner submits that
the petitioner has antecedent of eleven cases and the allegation
is of recovery of 420 litres of liquor from a pick-up vehicle.

4. The learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession and he came to be
implicated at the instance of villagers, but then, the F.I.R. does
not disclose the name of the villager, who disclosed the name of
the petitioner is not recorded in the F.I.R. which cast an



aspersion on the case of the prosecution. It is further submitted that it appears that police in order to save the real culprit falsely implicated the petitioner because of his antecedents by alleging that his name was disclosed by unknown villager. It is next submitted that petitioner is not the owner of the seized vehicle.

5. Learned A.P.P. opposes the bail application.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 30,000/- (Rupees Thirty Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise Court No.01, Aurangabad in connection with Madanpur P. S. Case No.247 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

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