

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54459 of 2023

Arising Out of PS. Case No.-323 Year-2023 Thana- KATEYA District- Gopalganj

ANSHU CHAUHAN son of Harendra Chauhan @ Harindra Chauhan
Village- Mahui Ps- Keseya Dist- Khishinagar U.P

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhurendra Kumar

For the Opposite Party/s : Mr.Lakshmi Kant Sharma

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 30-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under section 414 of the I.P.C. and section 30(a) of the Bihar Prohibition & Excise Act.

Prosecution case relates to recovery of 855.3 liters of illicit liquor from a pickup van bearing Registration No. UP80BK9301 and the petitioner is said to be apprehend on spot with the seized vehicle.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this present case. He has got no criminal antecedent as stated in para-3 of the bail petitioner. The petitioner is only driver of the seized vehicle but



he has no concern with the alleged recovery of illicit liquor. No any incriminating article has been recovered from his possession. Moreover, he is languishing in judicial custody since 15.7.2023.

Learned APP appearing for the State has vehemently opposed the prayer of Bail and submitted that the petitioner is driver of the seized vehicle who was apprehended on spot with the alleged recovery of illicit.

The petitioner, being driver of the seized vehicle, is directed to deposit a sum of Rs 10,000/- (Ten Thousand) in the District Legal Services Authority of concerned District.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Kateya P.S. Case No. 323 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Addl. District and Sessions Judge-II-Exclusive Special Judge, Excise Court No.1, Gopalganj.

The bail bonds of the petitioner shall be accepted by the learned court below on showing the receipt of deposit of Rs.



10,000/- (Rs. Ten thousand) by the petitioner in the account of
the concerned DLSA.

(Sunil Kumar Panwar, J)

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