

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55196 of 2023

Arising Out of PS. Case No.-529 Year-2023 Thana- MOHANIYA District- Kaimur (Bhabua)

Shivanand Tiwary S/O Ravindra Tiwary R/O Village Mahuwari ,P.S. Baluwa ,
District- Chandauli (UP)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan, Advocate

For the Opposite Party/s : Ms. Sharda Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 31-08-2023 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks.

2. Heard learned counsel for the petitioner and learned A.P.P for the State.

3. The petitioner has preferred this application for grant of regular bail in connection with Mohania P.S. Case No. 529 of 2023 dated 25.07.2023 registered for the offences punishable u/s 414 of the Indian Penal Code and Sections 30(a) and 47 of the Bihar Prohibition and Excise Act..

4. As per the prosecution case, total 138.24 litres of illicit country-made foreign liquor was recovered from the car.

5. Learned counsel for the petitioner has submitted



that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The petitioner is the driver of the said car. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 26.07.2023.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

7. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Kaimur at Bhabua in connection with Mohania P.S. Case No. 529 of 2023.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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