

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67556 of 2022**

Arising Out of PS. Case No.-130 Year-2022 Thana- DEWARIA District- Muzaffarpur

Ram Babu Chauriya @ Rambabu Chaurasia, S/o Late Yogi Chauriya, R/v- Deoriya
Nahar Par, P.S.- Deoriya, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Subhash Kumar, Advocate

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

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

ORAL ORDER

4 09-02-2023 Learned counsel for the petitioner is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 272 and 273 read with Section 34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act.

As per the prosecution case, on seeing the police, miscreants started fleeing away but one person was apprehended by the police who disclosed his name as Santosh Kumar. On search, 900 ml of illicit *mahua* liquor was recovered from the house of the co-accused but the apprehended co-accused also told the police that his father bought seized liquor to sale.

Learned counsel for the petitioner has submitted that the



petitioner is innocent and has been falsely implicated in this case. He has further submitted that the petitioner is made accused in this case because he is a father of the co-accused Santosh Kumar. Nothing has been recovered from the conscious possession of the petitioner. No case is made out against the petitioner. The petitioner is accused in one more criminal case as stated in para 3 of the bail petition.

Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/ surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail bond of Rs. 20,000/-(Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Muzaffarpur in connection with Deoriya P.S. Case No. 130 of 2022, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

The application stands allowed.

(Chandra Prakash Singh, J)

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