

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70910 of 2023

Arising Out of PS. Case No.-209 Year-2023 Thana- SIWAN MUFFASIL District- Siwan

MUKESH CHAUHAN Son of Suresh Chauhan Resident of Village -
Khurmabad, P.S.- Siwan Town, District - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary, Advocate

For the Opposite Party/s : Mr. Umesh Lal Verma, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 28-11-2023 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner is apprehending his arrest in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. He submits that there is no recovery from the conscious possession of the petitioner rather 319.70 liters of country and foreign liquor are said to have recovered from the place of the occurrence. He submits that allegation against the petitioner is that he along with other co-accused managed to ran away from the place of occurrence. He further submits that local people disclosed the name of the petitioner. He submits that there is no recovery made from the conscious possession of the petitioner.



He further submits that petitioner has got one criminal antecedent as stated in para-3 of the bail application.

4. Petitioner is agreed to deposit a sum of Rs. 10,000.00/- (Rupees Ten Thousand) in the account of Patna High Court Legal Services Committee, Patna, bearing Account No. 1413010060836, IFSC Code: PUNB0141320, Punjab National Bank, Bar Council Branch, Patna.

5. Considering the facts and circumstance of the case and the fact that there is no recovery from the conscious possession of the petitioner, let the above named petitioner, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Siwan Muffasil P.S. Case No. 209 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C., with further conditions:

(i) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.

(ii) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.



6. The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of the aforesaid amount in the account of Patna High Court Legal Services Committee, Patna.

(Anjani Kumar Sharan, J)

ajay/-

U		T	
---	--	---	--

