

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69270 of 2023

Arising Out of PS. Case No.-385 Year-2023 Thana- KATEYA District- Gopalganj

Dhan Kishore Chauhan Son of Late Majister Chauhan R/o vill - Derawa, P.s. -
Gopalpur, Distt. - Gopalganj, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Indrajeet Bhushan, Advocate

For the Opposite Party/s : Mrs. Sangeeta Sharma, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 08-11-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Section 414/34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

3. Recovery is of total 33.48 liters of country made liquor from the three different motorcycles.

4. It is submitted by the learned counsel for the petitioner submits that no incriminating article has been recovered from the conscious physical possession of the petitioner rather 33.48 liters of country made liquor is said to have been recovered from the three different motorcycles. Petitioner has no concern either with the seized liquor or the



place of recovery or any trade of liquor. He further submits that two persons apprehended from the spot and disclosed that petitioner also involved in the alleged liquor trade. Petitioner is innocent and has falsely been implicated in this case and petitioner was not apprehended on the spot. Petitioner has three criminal antecedents, out of three criminal antecedents two are the similar nature, as mentioned in para-3 of the this application.

5. Learned APP for the State opposes the prayer for anticipatory bail of the petitioner.

6. Petitioner is agreed to deposit a sum of Rs.15,000/- (Rupees Fifteen thousand only) in the account of Lawyer's Association Welfare/Benevolent fund, Patna, bearing Account No.42335550064, IFSC Code : SBIN0010340, State Bank of India, High Court Campus Branch, Patna.

7. Considering the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, 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 Kayeya P.S. Case No. 385 of 2023, subject to



the condition as laid down under Section 438 (2) of the Cr.P.C.,
further condition is that :-

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

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

8. The bail bond of the petitioner shall be accepted by
the learned Court below on showing receipt of deposit of the
aforesaid amount in the account of Patna Lawyer's Association
Welfare/Benevolent fund, Patna.

(Anjani Kumar Sharan, J)

mdrashid/-

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

