

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32536 of 2024

Arising Out of PS. Case No.-354 Year-2023 Thana- MAIRWAN District- Siwan

Prince Chauhan @ Prince Kumar Chauhan Son of Late Sunil Chauhan
Resident of Village- Phulwaria, P.O.- Phulwaria, P.S.- Mairwa, District-
Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhananjay Shahi, Advocate

For the Opposite Party/s : Mr. Rana Randhir Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 01-05-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Mairwa P.S. Case No.
354 of 2023, instituted for the offences punishable under
Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 872.100
liters liquor was recovered from Scorpio car.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from
the conscious possession of the petitioner. The petitioner has got
no concern with the alleged recovery of liquor. It is further
submitted that the petitioner is neither owner nor driver of the



seized vehicle in question. The petitioner is not named in the F.I.R. Name of the petitioner has transpired on the basis of secret information which was received by the police. The petitioner has been remanded in this case from Nautan P.S. Case No. 252 of 2023 on 20.02.2024 and has got one criminal antecedent. There is no compliance of Section 100 of Cr.P.C.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Mairwa P.S. Case No. 354 of 2023.

(Rudra Prakash Mishra, J)

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