

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38564 of 2024

Arising Out of PS. Case No.-40 Year-2024 Thana- CHAORI District- Bhojpur

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SHAMBHU SINGH S/O SRI YADAV R/O VILLAGE- BABUBANDH, P.S-
CHAURI, DISTT.- BHOJPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Singh

For the Opposite Party/s : Mr. Jagdhar Prasad

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 27-05-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Chauri P.S. Case No. 40 of 2024 lodged on 12.04.2024 under
Section 30(a) of Excise Act.

3. As per the prosecution case, F.I.R. has been lodged
against two named accused persons including the present
petitioner against whom there is an allegation of recovery of
total 210 Litre of country made liquor.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Counsel
for the petitioner submits that out of 210 litre, only 90 litre has
been recovered from the motorcycle which belongs to the
petitioner. Counsel further submits that the criminal antecedent



of the petitioner is clean and the petitioner is in custody since 13.04.2024. He further submits that under wrong impression petitioner has been apprehended in this case.

5. Learned APP for the State opposes the prayer for bail and submits that 90 litres of country made liquor has also been recovered from the petitioner’s motorcycle.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named by granted bail *two months after framing of charge, if the charge is not framed yet* and on furnishing bail bonds of Rs. 30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of Special Excise Court 1st, Bhojpur at Ara in connection with Chauri P.S. Case No. 40 of 2024 subject to the condition laid down under Section 437(3) of the Cr.P.C.

(Dr. Anshuman, J)

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