

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38339 of 2024

Arising Out of PS. Case No.-118 Year-2024 Thana- SHIVSAGAR District- Rohtas

Rinku Chauhan @ Rinku Son of Kadam Chauhan Resident of Village-
Hinauta, P.S- Araura, Dist- Mirjapur (Uttar Pradesh)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raghunandan Kumar Singh
For the Opposite Party/s : Mr.Rana Randhir Singh

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

ORAL ORDER

2 16-05-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Shivsagar P.S. Case No. 118 of 2024 instituted for the offences
under Section 30(a) of the Bihar Prohibition and Excise
Amendment Act.

3. The prosecution case, in short, is that, total 811.320
liters of liquor was recovered from a truck and a car. It is further
alleged that petitioner is said to have driver of the seized truck
in question.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating article has been recovered from



the conscious possession of the petitioner and he has no concern with the alleged recovery of liquor. Petitioner is not the owner of the seized vehicles. Moreover, it is submitted that the other co-accused has already been granted bail by this Court vide order dated 22.04.2024 passed in Cr. Misc. No. 30444 of 2024. The petitioner is in custody since 10.03.2024 and has no criminal antecedent. There is no compliance of Section 100 of the Cr.P.C.

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

6. Considering the facts and circumstances of the case as well as 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/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Shivsagar P.S. Case No. 118 of 2024.

(Rudra Prakash Mishra, J)

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