

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.79005 of 2024**

Arising Out of PS. Case No.-263 Year-2024 Thana- RAJPUR District- Buxar

Vivek Chauhan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Arun Kumar Gupta, Advocate

For the Opposite Party/s : Mr. Ajay Kumar Jha, APP

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

ORAL ORDER

2      12-11-2024                      Heard learned counsel for the petitioner and learned  
APP for the State.

2.      The petitioner seeks bail in connection with Rajpur P.S. Case No. 263 of 2024 instituted for the offences under Sections 221, 223, 126(2), 115(2), 132, 121(1), 121(2), 109, 3(5), of B.N.S.S, 27 of Arms Act and 30(a) of the Bihar Prohibition and Excise Act.

3.      The prosecution case, in short, is that 25.74 litres of liquor was recovered from the motorcycle.

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 submitted that petitioner is the owner of the motorcycle. The petitioner is



in custody since 20.08.2024 and has got one criminal antecedent in which he is on bail. There is no compliance of Section 103 of B.N.S.S.

5. Learned A.P.P. 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/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Rajpur P.S. Case No. 263 of 2024.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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