

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75929 of 2024

Arising Out of PS. Case No.-138 Year-2024 Thana- AANDAR District- Siwan

Sunil Chaurasia Son of Late Ramdaur Chaurasia Resident of village- Jaijore,
P.S.- Andar, Distt.- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwary, Adv.

For the Opposite Party/s : Mr.Shyameshwar Dayal, APP

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

ORAL ORDER

2 23-10-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks bail in connection with

Andar P.S. Case No. 138 of 2024 instituted for the offences

under Sections 341, 323, 353, 324, 225, 504 and 34 of the

Indian Penal Code.

3. As per prosecution case, when the son of the

petitioner namely Amod Kumar Chaurasia was caught by the

Excise Department Team with liquor, the petitioner along

with 15-20 persons forcibly stopped the vehicle of the Excise

Department and pushed and shoved his son out of the

vehicle.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. There is no direct or specific allegation of any overt act against the petitioner rather the same is general and omnibus in nature. The petitioner is 62 years of age and is an ailing person. There is a non-compliance of Section 100 of the Cr.P.C. which creates a serious doubt in the prosecution case. The petitioner has no criminal antecedent and is languishing in judicial custody since 13.09.2024 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner and the petitioner having no criminal antecedent,



let the petitioner, abovenamed, 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 Andar P.S.
Case No. 138 of 2024.

(Rudra Prakash Mishra, J)

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