

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82809 of 2024

Arising Out of PS. Case No.-149 Year-2024 Thana- SRIPUR District- Gopalganj

Mogal Chauhan Son of Barhandev Chauhan Resident of Village - Raqba, P.S.
- Sripur, District - Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumari Anupam, Advocate

For the Opposite Party/s : Mr.Narsingh Tanti, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 10-12-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Sripur P.S. Case no. 149 of 2024 instituted for the offence under Sections 30 (a) of the Bihar Prohibition and Excise Act, 2016.

3. The case of the prosecution is that two persons on a bike were intercepted by police, they were tried to flee away but one of them was apprehended, who was identified as Om Prakash Kumar Yadav and from the bike, 8 liters of country made liquor was recovered.

4. Learned counsel for the petitioner has submitted that petitioner is innocent and has falsely been implicated in connection with the present case. During the course of the



argument, learned counsel for the petitioner submits that name of the petitioner has surfaced on the basis of the confessional statement of co-accused, Om Prakash Kumar Yadav. It has further been submitted that nothing has been recovered from the conscious possession of the petitioner and the petitioner is having no criminal antecedent.

5. Learned APP appearing for the State opposed the prayer of bail of the petitioner.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Sripur P.S. Case no. 149 of 2024, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge – XIII cum Spl. Excise Court No. - 1, Gopalganj, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Ashok Kumar Pandey, J)

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