

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79167 of 2024

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

Gunjan Kumar Chouhan @ Gunjan Kumar S/o- Prasotim Singh @
Purushottam Singh Resident of Village- Jalahara PS- Rajpur, Dist- Buxar
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satyapal Singh, Advocate
For the Opposite Party/s : Mr. Tapeswar Sharma, APP

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

ORAL ORDER

3 24-01-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Rajpur PS 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. and 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 25.74 litres of foreign liquor was recovered from motorcycle bearing Regd No. BR44T4039 and 24.075 litres of foreign liquor was recovered from another motorcycle bearing Regd No. BR44T1202.

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 motorcycles in question do not belong to the petitioner. The petitioner is in custody since 31.08.2024 and has got two criminal antecedents in which he is on bail. There is no compliance of Section 103 of B.N.S.S. Other co-accused has been granted bail by this Court *vide* orders dated 06.12.2024, 12.11.2024 passed in Cr. Misc. Nos. 77884 of 2024, 79005 of 2024.

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 PS Case No. 263 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.



(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

U		T	
---	--	---	--

