

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25372 of 2017

Arising out of PS.Case No. -53 Year- 2017 Thana -CHAND District- BHABHUA (KAIMUR)

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Krishna Patel Son of Gopal Singh, Resident of Village- Akhlaspur (Bai Pass
Bus Road near Bus Stand), P.S.- Bhabua, District- Kaimur (Bhabua).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Pawan Kumar Singh

For the Opposite Party/s : Mr. Ram Bachan Singh

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN
PRASAD
ORAL ORDER

2 06-06-2017 Heard Shri Pawan Kumar Singh, learned advocate

appearing on behalf of the petitioner and the learned APP for the

State.

The petitioner is seeking regular bail in connection with

Chand P.S. Case No. 53 of 2017 registered under section

120(B)/34 IPC read with Section 30(a) of the Bihar Prohibition

and Excise Act, 2016.

The allegation as contained in the FIR would show that

the Sub-Inspector of Police has lodged the FIR on his own

statement saying that while he had gone for investigation to the

house of Om Prakash Singh at Jamalpur Pateri, one Apache

motorcycle on which a word 'Police' was inscribed, two persons

were sitting, crossed the Sumo vehicle of the informant. The two



persons sitting on the motorcycle are said to be one Arvind Pandey, a suspended constable and the another was one Manoj Singh Patel. It is further alleged that as they went hardly 100 metres ahead from the Sumo vehicle, one black colour Pulsar motorcycle on which a person was sitting, carrying a bag reached there. The bag was searched and the liquors were recovered. The persons sitting on the Pulsar disclosed his name as Krishna Patel and further disclosed that Arvind Pandey and Manoj Singh Patel are the owners of the liquor.

It is alleged that the bag contained 186 piece of 180 ml. of English wine and other materials as per the seizure list.

Learned counsel for the petitioner would submit that the petitioner was apprehended on mere suspicion, he has got no criminal antecedent and in the facts and circumstances of the case as the investigation is over, the petitioner may be released on bail at this stage.

The learned APP opposed the prayer for bail pointing out the seizure list.

Considering the fact that the petitioner was apprehended on 10.3.2017 and in the nature of allegations, further custodial interrogation is not required as the Court has been informed that the investigation is over and also considering that



the petitioner has got a clean antecedent, let the petitioner, namely, Krishna Patel *be enlarged on bail on completion of three months' custody* upon furnishing bail bond of Rs. 25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of A.C.J.M.-IV, Kaimur at Bhabua in connection with Chand P.S. Case No. 53 of 2017 subject to the condition that one of the bailors would be a family member of the petitioner having no criminal antecedent and the petitioner undertakes to appear in course of trial regularly before the court below, failing which his bail bond shall be cancelled by the learned trial court.

(Rajeev Ranjan Prasad, J)

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