

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38284 of 2018

Arising Out of PS. Case No.-235 Year-2018 Thana- SITAMARHI District- Sitamarhi

Chhotu Kumar @ Chhotu Pal, S/o Brij Kishor Pal @ Vrij Ki Raut, R/o Riga Road, Yadav Nagar, P.S. Sitamarhi, Distt. Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Sri Santosh Kumar, Advocate

For the Opposite Party/s : A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 04-07-2018 Heard Sri Santosh Kumar , learned counsel for the petitioner and learned Additional Public Prosecutor.

The sole petitioner, apprehending his arrest in connection with Sitamarhi P.S. Case No. 235 of 2018, registered for the offence under Section 272/273 of the Indian Penal Code , 1860 and Section 30(A) of the Bihar Prohibition and Excise Act, 2016, has prayed for grant of bail in the event of his arrest or surrender.

At the very outset, learned counsel for the petitioner has drawn my attention to the statement made in paragraph no. 3 of the petition to show that petitioner is having clean antecedent. He further by way of referring to the F.I.R. submits that of -course in this case there was huge recovery of Indian make foreign liquor from a damaged bus standing opposite of one



Siddhi Vinayak Hotel and petitioner was arrayed as accused as if local people disclosed the name of the person who fled away as petitioner. By way of drawing my attention to the F.I.R. he submits that informant has not stated as to who was the person who stated the name of petitioner. He submits that only in vague manner petitioner has been made accused.

Be that as it may, considering the nature of accusation, the fact that petitioner is having clean antecedent and nothing was recovered from his conscious possession, in the event of his arrest or surrender within a period of six weeks from today, let petitioner – Chhotu Kumar @ Chhotu Pal 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 ADJ II cum Special Judge, Excise Act, Sitamarhi / concerned court in connection with Sitamarhi P.S. Case No. 235 of 2018 subject to the conditions as contemplated under Section 438(2) of the Code of Criminal procedure, 1973.

(Rakesh Kumar, J)

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