

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No. 10311 of 2020

Chhotu Kumar aged about 23 years Gender Male, Son of Late Shiv Chandra Choudhary, resident of village Daud Nagar Chakgadho Ward no. 1, P.S Bidhupur District VaishaliPetitioner

Versus

The State of Bihar

.....Opposite Party

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Appearance

For the Petitioner : Mr. Jay Ram Prasad, Advocate

For the State : Ms. Asha Devi, APP

CORAM : HONOURABLE MR. JUSTICE PARTHA SARTHY

Oral Order

2 14.05.2020

Heard learned counsel for the petitioner and learned APP for the State through video conferencing.

The petitioner who is in custody since 12.12.2019 has filed the instant application for grant of regular bail in connection with Special Case no. 11109 of 2019 (arising out of PR Case no. 260 of 2019) registered under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per allegation in the prosecution report, on secret information having been received, a raid was conducted and it is stated that a total of about 52 litres of IMFL was recovered from a motor cycle belonging to the petitioner.



It is submitted by learned counsel for the petitioner that the allegation of recovery of illegal wine is false and concocted. The petitioner has no criminal antecedent and is in custody since 12.12.2019. Charge sheet has already been submitted in the case.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the fact that the petitioner is in custody since 12.12.2019, his having no criminal antecedent and the investigation having concluded, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Special Case no. 11109 of 2019 (arising out of PR Case no. 260 of 2019) on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge (Excise), Patna.

(Partha Sarthy, J)

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