

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.16899 of 2020**

Arising Out of PS. Case No.-14 Year-2020 Thana- BACHHWARA District- Begusarai

Chhotu Kumar S/o Raj Kumar Choudhary R/o village- Barauni 01 Kelabari,  
P.S.- Teghra, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                      |   |                           |
|----------------------|---|---------------------------|
| For the Petitioner/s | : | Mr.Kaushal Kumar Singh    |
| For the State        | : | Mr. Nityanand Tiwary, APP |

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      14-05-2020      Due to COVID-19 Pandemic, the matter is being taken up by way of virtual Court proceeding.

The matter has been listed under the heading “For Orders” under the orders of Hon’ble the Chief Justice at the instance of the learned counsel for the petitioner.

Heard learned counsel for the petitioner and learned APP for the State.

The petitioner seeks bail in a case registered under Sections 30(a)/32(2)/41(2) of the Bihar Prohibition and Excise Act.

The prosecution case, in short, is that 1730 liters wine is recovered.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner is in custody since 20-01-2020. Charge sheet/Prosecution report in this case has already been submitted. It is alleged that 1730 liters



wine is recovered from the vehicle, in question. The petitioner has no concern with the vehicle, in question. Nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner had no knowledge regarding the alleged incident. There is no compliance of Section 100 Cr.P.C. The trial is not likely to be concluded in near future. The other co-accused with similar allegation has been granted bail by a coordinate bench of this court vide order dated 27-02-2020 passed in Cr. Misc. No. 15132 of 2020.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances of the case and also the lockdown, the petitioner, above named, is directed to be released on bail on his personal bond to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge, Excise Act, Begusarai in connection with Bachhwara P.S. Case No. 14 of 2020.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of four weeks to the satisfaction of the court concerned in connection with the aforesaid case.

**(Sudhir Singh, J)**

A.K.V.//-

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