

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18987 of 2020

Arising Out of PS. Case No.-Year-2020 Thana- Pakariwaran (Dhamaul) District- Nawada

Chhotu Kumar, (Age 23 years, Gender Male), son of Late Bindeshwar Mahto,
Resident of Village Atari, P.S. Dhamaul (Pakariwaran), Distt. Nawada

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Man Mohan Kumar, Adv.
For the Opposite Party/s : Ms. Renu Kumari, 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 12.02.2020 has filed this application for grant of bail in connection with Pakariwaran (Dhamaul) P.S. Case No. 32 of 2020 registered for the offence under section 30(a) of the Bihar Prohibition and Excise Act, 2016. As per allegation in the FIR, on the police personnel reaching the place of occurrence, the two accused persons abandoned their motorcycle as also three bags loaded on the same and attempted to flee. One of the accused persons managed to escape while the other was caught. The accused Ravi Kumar, who was caught, disclosed that the person who had managed to escape, was the petitioner. It is stated that a total of 127.5 litres of
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	liquor was recovered. It is submitted by learned counsel for the petitioner that neither the petitioner was caught at the place of occurrence nor any article as alleged has been recovered. His name transpired on the statement of co-accused made before the police. The petitioner has no criminal antecedent and he is in custody since 12.02.2020. The application for bail is opposed by the learned APP for the State. Having heard the learned counsel for the parties and taking into consideration that the petitioner was not caught at the place of occurrence, he has no criminal antecedent and is in custody since 12.02.2020, the court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Pakariwaran (Dhamaul) P.S. Case No. 32 of 2020 on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned Additional District Judge II-cum-Special Judge, Excise Act, Nawada.
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(Partha Sarthy, J)

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