

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20153 of 2020

Arising Out of PS. Case No.-12 Year-2020 Thana- RAJAOLI District- Nawada

Chhotu Singh @ Chhotu Kumar Son of Madhe Singh @ Madhe Ram
Resident of Village - Hatho Chak, Tola - Champakali, P.S.- Rajauli, Dist. -
Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Kumar

For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 18-06-2020 Heard learned counsel for the parties through video conferencing.

This relates to grant of bail in Rajauli P.S. Case No. 12 of 2020, registered for the offence under Sections 30(a)/41 of Bihar Prohibition and Excise Act, 2016.

The prosecution case, as per F.I.R., is that on secret information, the informant conducted a raid and recovered 100 litres of country-made liquor from the half-constructed house of co-accused Parmeshwar Ram. It is alleged that petitioner does business of illicit liquor with co-accused Parmeshwar Ram.

It is submitted on behalf of petitioner that petitioner has falsely been implicated and nothing has been recovered from his conscious possession, rather the recovery has been effected from the under-constructed house of co-accused. It is



further submitted that Section 100 Cr.P.C. has not been followed with respect to search and seizure. Chargesheet has already been submitted and petitioner is in custody since 20-01-2020.

Considering the aforesaid facts and circumstances, the bail application is allowed.

Let the above-named petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Sessions Judge II cum Spl. Judge, Nawada in connection with Rajauli P.S. Case No. 12 of 2020 on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present, as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.”.

(Prabhat Kumar Singh, J.)

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