

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31673 of 2020

Arising Out of PS. Case No.-259 Year-2020 Thana- MINAPUR District- Muzaffarpur

Chandan Kumar Kushwaha, Son of Ram Avtar Bhagat, Resident of Village -
Ali Neura, P.S. Meenapur, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Ranjan, Advocate.

For the Opposite Party/s : Mr. Bal Mukund Prasad Sinha, APP

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 02-12-2020 In view of the submission and undertaking of the learned counsel for the petitioner, at the time of hearing of this application through Video Conferencing, that he would remove the defect(s), as pointed out by the stamp reporter, within two weeks of starting of the Court proceeding in physical mode, he is permitted to remove the same accordingly.

Heard learned counsel for the petitioner and the learned A.P.P. for the State through Video Conferencing.

The petitioner is accused in connection with Meenapur P.S. Case No. 259 of 2020, registered under Sections 272, 273, 120(B), 414/34 of the Indian Penal Code and Sections 30(a) and 41(1) of the Bihar Excise Act.

The accusation is that on receiving secret



information about keeping and selling the illicit liquor in the house of Santosh Kumar Kushwaha in village Ali Neura, the informant and other police personnel reached near the house Shiv Chandra Kumar then saw that 2 to 3 persons started to flee away but on chased, one person was apprehended, who disclosed his name as Chandan Kumar Kushwaha (petitioner). On query, Chandan Kumar Kushwaha (petitioner) disclosed the name of one person succeeded to flee away as Santosh Kumar Kushwaha, while he was unable to disclose the name of another person. Thereafter, two motorcycles bearing registration no. BR55B-4565 and BR06R-7450 were found there and on search of the house of Santosh Kumar Kushwaha, two cartoons each containing 12 bottles of 750 litres, thirteen cartoons each containing 24 bottles of 375 ml and six cartoons each containing 48 bottles of 180 ml Indian made foreign liquor recovered.

Learned counsel for the petitioner submits that while petitioner was apprehended at the spot in fleeing condition but nothing has been recovered from his possession. It is further submitted that petitioner has no criminal antecedent and is in custody since 17.07.2020.

Having regard to the facts and the circumstances of the case, the petitioner above named, is directed to be released



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 the Special Judge Excise Act, Muzaffarpur, in connection with Meenapur P.S. Case No. 259 of 2020. Out of two sureties, one surety must be the close relative of the petitioner.

(Rajendra Kumar Mishra, J)

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