

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.14463 of 2021**

Arising Out of PS. Case No.-582 Year-2020 Thana- SONEPUR District- Saran

Chhotu Rai @ Chhotu Kumar S/O Deepak Rai @ Dipak Ray Resident Of
Sabalpur, West Tola, P.S Sonepur, District-Saran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ravi Prakash Dwivedi, Advocate
For the Opposite Party/s : Mr.Parmeshwar Mehta, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 17-06-2021 Learned counsel for the petitioner undertakes to
remove all the defects as pointed out by office within four
weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner, in the present case, is seeking regular bail
in connection with Sonepur P.S. Case No. 582/2020 registered
for the offences punishable under Section 30(A), 38, 41 and 47
of the Bihar Prohibition and Excise Act and Section 272, 273 of
the Indian Penal Code.

As per prosecution story, while the informant was on
patrolling duty and in course of checking the vehicles he got
secret information that at village Brindawan Colony one Tata
Magic Van was coming in which huge quantity of illicit liquor



was loaded, the informant reached there and on search 554.1 liters of English wine were seized.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case, nothing has been recovered from the conscious possession of the petitioner and petitioner is in custody since 18.08.2020.

Learned A.P.P. for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein it is the submission of learned counsel for the petitioner that nothing has been recovered from the conscious possession of the petitioner, the petitioner is in custody in connection with this case since 18.09.2020, he has no connection either with the illicit liquors or the vehicle in question and his name has merely transpired on suspicion, petitioner has got bail in one case stated in paragraph '3' of the application, this Court directs release of the petitioner above named on bail on furnishing of bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Special Judge, Saran, in connection with Sonapur P.S. Case No. 582/2020, subject to the condition as laid down under Section 437 (3)



Cr.P.C. as under :

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

