

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15338 of 2021

Arising Out of PS. Case No.-79 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Begusarai

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Chhotu Singh @ Vivekanand Kumar @ Vivekanand S/o Ram Bilash Singh
R/o Village- Rahatpur, P.S.- Balia, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar

For the Opposite Party/s : Smt. Sahin Begam A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 22-07-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Complaint Case No. 79C2 of 2020, registered for the offence under Section 30(a) of Bihar Prohibition and Excise Act.

1126 liters & 98 ml. of foreign liquor has been recovered from a truck and this petitioner alongwith others are alleged to have fled away after seeing the police party and has been identified by the local people.

It is submitted on behalf of petitioner that nothing has been recovered from the conscious possession of the petitioner. Name of the petitioner has been disclosed by some villagers, in connivance with police, due to enmity. Petitioner is in custody since 09.11.2020.



Learned A.P.P. for the State has opposed the bail petition.

Considering the nature of allegation and period of custody, the bail petition of petitioner is allowed. Let the above named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Sessions Judge II cum Special Judge, Excise Act, Begusarai in connection with Complaint Case No. 79C2 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 below and shall remain physically present, as directed by the court below, 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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