

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36983 of 2021

Arising Out of PS. Case No.-37 Year-2020 Thana- KHAGAUL District- Patna

Chhotu Kumar S/O Sanjay Paswan R/O Garikhana, P.S-Khagaul, District-Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ghanshyam Tiwary, Advocate

For the Opposite Party/s : Mr. Kumar Veerendra Narain, APP

CORAM: HONOURABLE MR. JUSTICE A. M. BADAR
ORAL ORDER

2 13-12-2021 The applicant/accused in Crime No. 37 of 2020 registered with Khagaul Police Station for the offence punishable under section 30(a) of Bihar Prohibition and Excise Act, by this application is seeking his release on bail during pendency of the trial.

Heard the learned counsel for the applicant. He submits that main accused Golu Kumar is already enjoying relief of anticipatory bail granted by this Court. He further submits that there is no evidence to connect the applicant with the crime in question.

The learned prosecutor opposes the bail application by contending that the crime in question is serious.

I have considered the submission so advance. On the



basis of secret information, Police Officer, Sarffuddin Khan conducted raid at the semi constructed house of co-accused Kolu Kumar and seized illicit liquor from that house. So far as the applicant is concerned, according to the prosecution, it was learnt that the illicit liquor kept there belongs to the present applicant.

The applicant was not present on the spot of the incidence. He was arrested subsequently. The co-accused is stated to be already released on anticipatory bail. The applicant is not having any criminal antecedent, as stated by his learned counsel. Therefore, the order.

The application is allowed.

The applicant/accused in Crime No. 37 of 2020 registered with Khagaul Police Station is directed to be released on bail on executing P.R. Bond of Rs. 10,000/- (Ten Thousand) on furnishing sureties of the like amount to the satisfaction of the trial court with the following conditions:-

(I) The applicant/accused should not extend any threat, promise of inducement to the persons acquainted with the facts of the accusation against him so as to dissuade him from disclosing such facts to the Court or to any police officer.

(II) The applicant/accused should not repeat the trial



in expeditious disposal of the trial against him.

(III) The applicant to remove all office objections forthwith and the Registry to issue bail-writ as per this order only after removal of office objections by the applicant/accused.

(A. M. Badar, J)

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