

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38072 of 2020

Arising Out of PS. Case No.-131 Year-2020 Thana- ROSHANGANJ District- Gaya

CHHOTU KUMAR, son of Vijay Saw, resident of Village-Tandwa, P.S.
Pratap Pur, District-Chatra, Jharkhand

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinod Kumar, Advocate

For the Opposite Party/s : Mr. Jai Narain Thakur, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 05-02-2021 Heard Mr. Vinod Kumar, learned Counsel for the

petitioner and Mr. Jai Narain Thakur, learned Additional Public

Prosecutor for the State.

This application, for grant of regular bail, arises out
of Raushanganj (Banke Bazar) Police Station Case No. 131 of
2020, disclosing offences under Section 30(a) of the Bihar
Prohibition and Excise Act and Section 414 of the Indian Penal
Code.

The allegation, as per the First Information Report
is that the police intercepted a motorcycle and recovered a total
quantity of 100 litres of illicit Mahua liquor from the said
motorcycle.

Learned counsel for the petitioner submits that the
petitioner has not committed any offence in the manner alleged



and he has falsely been implicated in this case. Learned counsel next submits that the motorcycle from where the illicit liquor has been recovered does not belong to the petitioner. Learned counsel also submits that the petitioner is in custody since 21.09.2020 having no criminal antecedent and the chargesheet has already been submitted against the petitioner.

Having regard to the submissions made by the parties and taking into consideration the materials on record and the fact that petitioner is not owner of the motorcycle and chargesheet has already been submitted and there is no likelihood that the petitioner will abscond or tamper with the evidence, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, Chhotu Kumar, 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 Special Judge (Excise), Gaya, in connection with Raushanganj (Banke Bazar) Police Station Case No. 131 of 2020.

(Anil Kumar Sinha, J.)

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