

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38039 of 2020

Arising Out of PS. Case No.-323 Year-2020 Thana- CHHATAUNI District- East Champaran

SUBHASH SINGH @ SUBHASH KUMAR SINGH Son of Late Promod
Singh Resident of Village- Chamahi, P.S.- Shikarganj, Distt- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yogesh Chandra Verma, Sr. Advocate
For the Opposite Party/s : Mr. Nirmal Kumar Sinha, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 15-04-2021 Heard Mr. Yogesh Chandra Verma, learned Senior Advocate for the petitioner and Mr. Nirmal Kumar Sinha, learned APP for the State.

The petitioner seeks bail in anticipation of his arrest in connection with Chhatauni P.S. Case No. 323 of 2020 dated 06.09.2020 instituted for the offences under Sections 270, 272/34 of the Indian Penal Code and Sections 30(a), 32 and 34 of the Bihar Prohibition and Excise Act, 2016.

3520.560 litres of liquor is said to have been recovered from the house of one Kunal Singh which was taken on rent by one Sanjiv Kumar Singh.

Learned counsel for the petitioner has submitted that in the FIR, it has been alleged that there was a secret information given to the police that huge



quantity of liquor has been kept in the flour mill of the petitioner. But on search nothing was found from the premises of the flour mill of the petitioner.

Another set of information was received by the raiding team that the house of Kunal Singh has been used as store house of the liquor. One Urmila Singh who is also a tenant in such house is said to have stated the name of the petitioner and others as having managed to carry on the trade of sale and purchase of liquor from the room which has been taken on rent by Sanjiv Kumar Singh.

Learned counsel for the petitioner therefore submits that nothing has been recovered from the premises of the petitioner and his implication in this case is only on the basis of suspicion and on the statement given by one Urmila Singh which is also not based on any specific source of information.

The petitioner has clean antecedents.

Considering the aforesaid facts, the petitioner is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt/production of a copy of this order, on his furnishing bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to



the satisfaction of the learned Additional Sessions Judge-
13 at East Champaran, Motihari in connection with
Chhatauni P.S. Case No. 323 of 2020, subject to the
conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

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