

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2433 of 2022

Arising Out of PS. Case No.-220 Year-2021 Thana- MOHAMMADPUR District- Gopalganj

Chhote Lal Sah @ Chotelal Sah Son of Late Bhagrasan Sah Resident of
Village- Mohammadpur, Turha Toli, P.S.- Mohammadpur, District-
Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar

For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 24-03-2022 Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner seeks bail in Mohammadpur P.S. Case
No. 220 of 2021, registered for the offence punishable
punishable under Sections 272, 273, 328, 307, 304, 120(B)/34
of the Indian Penal Code and sections 30(a)/37(b)/33/34 of the
Bihar Prohibition and Excise Act, 2018.

Only allegation against this petitioner is that he also
consumed wine at the house of Chhathu Ram along with other
persons.

It is submitted that no recovery has been made from
conscious possession of this petitioner. Only on the statement of
Bhola Ram petitioner has been made accused in this case. No



case under Section 307 IPC is made out against the petitioner, as none has sustained injuries. So far as the offence under Section 328, 304 IPC is also not attracted against the petitioner. Petitioner is in custody since 04.11.2021. Investigation is complete.

Learned APP however vehemently opposed the prayer for bail and submitted that petitioner has got criminal antecedents of similar nature.

Considering the facts aforesaid and the nature of allegation, I am not inclined to enlarge the petitioner above-named on bail. Accordingly, the same is rejected.

However, once charge is framed and trial commences, the petitioner shall be released on bail by the learned trial court on its own satisfaction and on the condition that petitioner will cooperate in disposal of trial and appear before the court, as and when required.

(Prabhat Kumar Singh, J)

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