

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14125 of 2022

Arising Out of PS. Case No.-218 Year-2021 Thana- KUTUMBA District- Aurangabad

Chandan Singh @ Chandan Kumar Singh S/O Kaushal SINGH R/o village-
Matpa, P.S.- Kutumba, District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kamlendra Pd. Singh, Advocate

For the Opposite Party/s : Mr. Indu Kumari Srivastava, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 08-07-2022 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State through

video conferencing.

Petitioner seeks bail in a case registered in
connection with Kutumba P.S.Case No. 218 of 2021 for the
offences punishable under Sections 30(a) of the Bihar
Prohibition & Excise (Amendment) Act 2018.

As per the prosecution case, it is alleged that on
secret information, police raided a mud house situated 15
meter away from the house of the co-accused persons,
from where , total 83 liters liquor was recovered and out of
the three accused persons, two persons fled away and one
person was arrested, who disclosed his name as Chandan



Singh.

It is submitted by the learned counsel for the petitioner that from the FIR, it is evident that the alleged recovery has been made from the mud house situated 15 meters away from the house of the petitioner. It is further submitted that nothing has been recovered from person or possession of this petitioner and only his house being adjacent to the said mud house his name has been implicated. The petitioner is in custody since 01.01.2022 having clean antecedent, moreover, investigation has already been completed and charge sheet has been submitted.

On the other hand, learned counsel for the State opposed the bail application of the petitioner and submits that petitioner has been found involved in selling illicit liquor.

Having heard the rival contentions of the parties and taking into consideration the fact that recovery has been made from the mud house which does not belong to the petitioner and moreover, petitioner is in custody since 01.01.2022, apart from the fact that investigation has



already been completed and charge sheet has been submitted, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise -I, Aurangabad in connection with Kutumba P.S.Case No. 218 of 2021 subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(Harish Kumar, J.)

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