

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18521 of 2022

Arising Out of PS. Case No.-198 Year-2021 Thana- BIDUPUR District- Vaishali

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CHUNCHUN KUMAR @ MUNCHUN KUMAR Son of Shree Chandradip
Singh Resident of Village - Dilawarpur, P.S.- Bidupur, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Deepak Kumar Singh
For the Opposite Party/s : Mr.Sanjay Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 22-07-2022 Heard learned counsel for the petitioner and learned
APP for the State through virtual court proceeding.

Let the defect(s), as pointed out by the office, be removed within a period of four weeks from the date of resumption of physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in connection with Bidupur P.S. Case No. 198 of 2021 registered for the alleged offences under Sections 30(a) and 41(i) of the Bihar Prohibition and Excise Act, 2018.

As per prosecution case, on secret information about petitioner and other co-accused persons bringing a large consignment of illicit liquor, the police proceeded towards the place and one pick-up-van loaded with 2442.6 liters of foreign liquor was found. 3 to 4 persons fled away from there and



recovered liquor was seized along with vehicle.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He has not been arrested from the spot and nothing incriminating has been recovered from his possession. The petitioner has nothing to do with the seized vehicle or the recovered contraband. The co-accused Manish Kumar, who is owner of the vehicle has been granted bail by a Coordinate Bench vide order dated 15.07.2022 passed in Cr. Misc. No. 20235 of 2022. Charge sheet has been submitted in this case and petitioner is in custody since 09.03.2022.

Learned APP for the State opposes the prayer for bail of the petitioner submitting that petitioner is a member of syndicate involved in trade of illicit liquor and the petitioner is having criminal antecedent.

Having regard to the fact that there is no recovery from this petitioner who has not arrested from the spot and has been named in this case by the police personnel only on the basis of secret information and further considering the submission of charge sheet as well as period of custody of this petitioner, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned



Additional Sessions Judge-Cum- Exclusive Special Excise Court
No. 1, Vaishali at Hajipur in connection with Bidupur P.S. Case
No. 198 of 2021, subject to the other conditions as laid down
under Section 437(3) of the Cr.P.C.

- (i) The bail bond of the petitioner will be accepted only after framing of charge, if not already framed.
- (ii) One of the bailors will be a close relative of the petitioner.
- (iii) The petitioner will remain present on each and every date fixed by the court below.
- (iv) The petitioner will not indulge in similar type of offences in future.
- (v) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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