

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30983 of 2021

Arising Out of PS. Case No.-37 Year-2021 Thana- KUCHAIKOTE District- Gopalganj

PINTU CHAURASIYA @ PINTU KUMAR CHAURASIYA S/O
SURENDRA CHAURASIYA R/O VILLAGE BARAI TOLA, BHOMI
CHOWK, P.S. KUCHAIKOTE, DISTRICT-GOPALGANJ.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Indrajeet Bhushan, Advocate.

For the Opposite Party/s : Mr.Dashrath Mehta, APP.

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 19-01-2022 Heard Mr. Indrajeet Bhushan, learned Advocate for
the petitioner and Mr. Dashrath Mehta, learned Additional
Public Prosecutor for the State.

The petitioner seeks bail in anticipation of his arrest in
connection with Kuchaikote P. S. Case No. 37 of 2021 instituted
for the offences under Section 30(a) of the Bihar Prohibition and
Excise (Amendment) Act, 2018.

46.770 litres of liquor has been recovered from a
vehicle and two persons were arrested. One of them has
disclosed the name of the petitioner as the person who had
loaded the liquor on the vehicle for it to be transported to one
Mantu Rai.

The learned counsel for the petitioner has submitted
that except for the confession of an arrested accused person,
there is no other material to connect the petitioner with the



offence. It has further been submitted that the petitioner earlier was made accused in a case of similar nature in which he has been granted bail.

It has been submitted that a complaint case was lodged against the officer-in-charge of the concerned police station in which the petitioner was cited as a witness on behalf of the complainant. This perhaps has irked the officer-in-charge of the concerned police station who has contrived to get the petitioner named in the confession of one of the accused persons.

Taking into account the afore-noted facts, the petitioner is directed to be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from the date of receipt/production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned 2nd Addl. Sessions Judge cum Special Judge, Excise, Gopalganj in connection with Kuchaikote P.S. Case No. 37 of 2021, subject to the condition as laid down under Section 438 (2) Cr. P.C.

The application stands allowed.

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(Ashutosh Kumar, J)

