

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24200 of 2022

Arising Out of PS. Case No.-33 Year-2022 Thana- KIUL District- Lakhisarai

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CHUSO RAM SON OF LATE YUGAL RAM R/O VILLAGE-
RAMKUNDI, P.S.- KIUL, DISTRICT- LAKHISARAI

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mayank Bilochan

For the Opposite Party/s : Mr.A.G

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 29-07-2022 Let the defect(s), as pointed out by the office, be

removed within a period of four weeks from today.

Heard learned counsel for the petitioner and

learned A.P.P. for the State.

The petitioner seeks bail in connection with Kiul

P.S. Case No. 33 of 2022 registered for the offences punishable

under Sections 30(a), 37(b) of the Bihar Prohibition and Excise

(Amendment) Act, 2018.

As per prosecution case, There is alleged recovery

of 30 Litres of country made Mahua liquor and on breath

analyzer test Alcohol was found in the bodies of the petitioner

and other co-accused persons. Petitioner was apprehended on

spot alongwith other co-accused persons.

Learned counsel for the petitioner submits that



petitioner is in custody since 09.03.2022. Petitioner bears criminal antecedent of one case which is not of similar nature. Charge sheet has already been submitted in the case and there is no likelihood of tampering with the prosecution evidence. Learned counsel further submits that nothing has been recovered from the conscious possession of the petitioner. Petitioner has no concern with the recovered Mahua liquor but it belongs to the person who has fled away from there by motorcycle.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case as well as period of custody, charge-sheet has already been submitted and there is no likelihood of tampering with the prosecution evidence, and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-V-cum-Exclusive Special Court Excise, Lakhisarai in connection with Kiul P.S. Case No. 33 of 2022, subject to following conditions:-

(i) One of the bailors shall be either father or



mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission would be a ground for cancellation of bail by the learned Trial court itself.

(iii) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Alok Kumar Pandey, J)

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