

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32002 of 2022

Arising Out of PS. Case No.-113 Year-2022 Thana- AMNAUR District- Saran

Chandan Raut S/O Shyam Nath Raut Resident Of Village- Bishunpura, P.S.-
Amnour, District- Saran.

... .. Petitioner/S

Versus

The State Of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shatrughan Pandey
For the Opposite Party/s : Mr. Abhay Kumar

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 10-08-2022 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
Amnour P.S. Case No. 113 of 2022 registered for the offences
punishable under Sections 272, 273 of the I.P.C. and Sections
30(a) of the Bihar Prohibition and Excise Act, 2016.

As per prosecution case, there is alleged recovery
of 160 litre country made wine from place of occurrence and
petitioner was apprehended on the spot.

Learned counsel for the petitioner submits that
petitioner is in custody since 02.05.2022 and bears no criminal
antecedent. Charge sheet has been submitted in the case and



there is no likelihood of tampering with the prosecution evidence. Learned counsel for the petitioner further submits that nothing has been recovered from the conscious possession of the petitioner and the name of the petitioner has been falsely implicated in this case. It has been further submitted that seizure list has not been made as per law.

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

Considering the facts and circumstances of the case, period of custody, keeping in view clean antecedent of petitioner, charge sheet has been submitted in the case 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 1st Exclusive Special Judge, Excise, Saran in connection with Amnour P.S. Case No. 113 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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