

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52612 of 2021

Arising Out of PS. Case No.-18 Year-2021 Thana- CHERIYA BARIYARPUR District-
Begusarai

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CHIMPU KUMAR @ CHIPU SINGH @ RAUSHAN KUMAR Son of Pintu
Singh @ Amar Kumar @ Amar Kumar Singh Resident of Village - Purwari
Tola Manjhaul, P.S. Cheriabariyarpur, District - Begusarai

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arjun Prasad

For the Opposite Party/s : Mr.Mithlesh Kumar Khare

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 09-02-2022 Heard learned counsel for the parties through video
conferencing.

Petitioner seeks regular bail in connection with
Cheriabariyarpur P.S. Case No. 18 of 2021 registered for the
offence punishable under Sections 188, 290, 120(b) of the I.P.C.
and Section 30(a) of the Bihar Prohibition & Excise Act 2016.

As per First Information Report Police got secret
information that the petitioner along with other co-accused
persons have concealed illicit liquor in the orchard of Devendra
Singh and Ashok Singh, proceeded towards the place of
occurrence and recovered 1218.3 litres of foreign liquor from
the said orchard.

Learned counsel for the petitioner submits that the



petitioner has got one criminal antecedent i.e. Cheriabariyarpur P.S. Case No. 214 / 2018 registered under Section 30 (a) of the Bihar Prohibition and Excise Act, 2016 and he has falsely been implicated in this case on the basis of secret information received by the Police. Learned counsel further submits that there is no evidence to connect the petitioner with the present offence and no illicit liquor has been recovered from the conscious possession of the petitioner or from the premises belonging to him. Learned counsel next submits that the petitioner is in custody since 14 / 7 / 2021 , charge-sheet has been submitted in the matter and similarly situated co-accused / Sumit Kumar @ Bhujungi @ Sumit Kumar Bharti has been granted bail by this court in Cr. Misc. No. 43798 of 2021.

Regards being had to the submissions made by the parties and taking into consideration the material available on record , the fact that no illicit liquor has been recovered from the conscious possession of the petitioner or from the premises belonging to him, petitioner is in custody since 14 – 07- 2021, charge-sheet has been submitted in the matter, similarly situated co-accused has been granted bail by this court and trial is not likely to be concluded in near future due to Covid 19 pandemic as such, I am inclined to grant regular bail to the petitioner.



Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 20000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise Act, Begusarai in connection with Cheriabariyarpur P.S. Case No. 18 of 2021.

(Anil Kumar Sinha, J)

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