

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.51630 of 2021**

Arising Out of PS. Case No.-126 Year-2021 Thana- KHAJEKALA District- Patna

CHHOTU KUMAR S/O KHELARI RAI Resident of Bakshi Mohalla, P.S.-  
Khajekala, District- Patna

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ansul, Adv.

For the Opposite Party/s : Mr. Shyam Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**

ORAL ORDER

2      15-04-2022                      Heard the parties through video conferencing.

Petitioner seeks regular bail in connection with Khajekalan PS Case No. 126 of 2021 corresponding to Special Case No. 3047 of 2021 registered under Section 414 of the IPC and Section 30 (a) of the Bihar Prohibition and Excise (Amendment ) Act, 2018.

The allegation as per the first information report is that petitioner along with one co-accused were apprehended by the Police while keeping a white colour bag on an *Apache* motorcycle and upon search 105 liters of illicit country made liquor has been recovered from the said motorcycle.

Learned counsel for the petitioner submits that petitioner is not the owner of the said motorcycle and he has not committed any offence in the manner alleged. He further submits that the petitioner is in custody since 07-06-2021,



charge sheet has already been submitted and there is no likelihood that the petitioner will abscond or tamper with the evidence if released on bail. He next submits that similarly situated co-accused / Chhotan Paswan has been granted bail by this Court in Cr. Misc. No. 50993 of 2021.

Regard being had to the submissions made by the parties and taking into consideration the materials available on record, the fact that the petitioner is in custody since 07/06/2021, charge sheet has already been submitted, there is no likelihood that the petitioner will abscond or tamper with the evidence and similarly situated co-accused has been granted bail by this Court, as such, I am inclined to grant regular bail to the petitioner.

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, Patna in connection with Khajekalan PS Case No. 126 of 2021 corresponding to Special Case No. 3047 of 2021.

praful/-

**(Anil Kumar Sinha, J)**

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