

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45610 of 2022

Arising Out of PS. Case No.-192 Year-2022 Thana- NAVINAGAR District- Aurangabad

Chottu Kumar Son of Sonu Ram Resident of Village - Janakpur Pokhra, P.S.-
Nabinagar, District - Aurangabad (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh, Advocate

For the Opposite Party/s : Mrs. Sangeeta Sharma, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 30-09-2022 Heard learned counsel for the petitioner and learned
APP for the State through video conferencing.

Let the defect (s), as pointed out by the office, be
removed within a period of four weeks.

In the present case, the petitioner seeks bail in
connection with Nabinagar P.S. Case No. 192 of 2022 registered
for the alleged offences under Section 30(a) of the Bihar
Prohibition and Excise (Amendment) Act, 2018.

As per prosecution case, recovery of total 21 litres of
country made liquor was made from a plastic sack of the
petitioner.

The learned counsel for the petitioner submits that
petitioner has been falsely implicated in this case as the
recovery has been made from a pond and the petitioner has



nothing to do with the said recovery. Nothing incriminating has been recovered from his conscious possession. The petitioner is in custody since 06.06.2022 and charge-sheet has been submitted.

Learned APP opposes the prayer for bail.

Having regard to the submissions made hereinabove and considering the quantity of liquor recovered along with period of his custody and the submission of charge-sheet against him, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise 1st, Aurangabad (Bihar) in connection with Nabinagar P.S. Case No. 192 of 2022, subject to the condition mentioned in Section 437(3) of the Cr.P.C. and other the following conditions:

- (i) The bail bond of the petitioner will be accepted only after framing of charge, if not already framed.
- (ii) One of the bailors will be a close relative of the petitioner.
- (iii) The petitioner will remain present on each and every date fixed by the court below.



(iv) In case of absence on three consecutive dates
or in violation of the terms of the bail, the bail
bond of the petitioner will be liable to be
cancelled by the court concerned.

(Arun Kumar Jha, J)

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