

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29585 of 2023

Arising Out of PS. Case No.-284 Year-2018 Thana- BALIYA District- Begusarai

CHHOTU SINGH @ ARUN KUMAR @ CHHOTU @ CHHOTAN Son of
Late Indradeo Singh @ Indradeo Singh Resident of village - Iniyar, P.S. -
Muffasil (Lakho O.P.), Distt. - Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam

For the Opposite Party/s : Mr.Rana Randhir Singh

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 15-05-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with Ballia
P.S. Case No. 284 of 2018 registered for the offences punishable
under Section 30(a), 32, 41(i) of the Bihar Prohibition and
Excise Act.

As per prosecution case, total 3108.12 liter foreign
liquor was recovered from the truck and bolero jeep in question.
On the basis of secret information name of present petitioner has
been transpired in this case.

Learned counsel for the petitioner submits that
petitioner is in custody 07.03.2023 and bears criminal
antecedent of four cases out of which three cases are of similar



in nature. He further submits that petitioner is not apprehended on the spot. Name of present petitioner has been transpired in this case on the basis of secret information. Nothing has been recovered from the conscious possession of the petitioner.

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, period of custody, petitioner is not apprehended on spot, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail **after framing of charge** on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Learned Exclusive Special Judge, Excise -II, Begusarai in connection with Ballia P.S. Case No. 284 of 2018, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife of 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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