

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40127 of 2023

Arising Out of PS. Case No.-11 Year-2020 Thana- BASANTPUR District- Siwan

CHHOTU SINGH @ PRAVEEN KUMAR SINGH Son Of- Pashuram Singh
Resident Of Village- Karcholia, P.S.- Basantpur, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Kant Singh, Adv.

For the Opposite Party/s : Mr. Suresh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 17-07-2023 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. Petitioner seeks regular bail in connection with
Basantpur P.S. Case No. 11 of 2020, dated 11.01.2020 registered
for the offences punishable under Sections 272, 273, 308, 379
read with Section 34 of the Indian Penal Code and Section 30(a)
of the Bihar Prohibition and Excise Act.

3. The main submissions advanced by petitioner's
counsel are that the instant matter relates to the recovery of 216
litres of *Indian made foreign liquor* from a pick-up van but
admittedly the petitioner was not apprehended at the spot and
two co-accused persons namely, Aditya Kumar and Mukesh
Kumar are said to have been arrested at the spot with the alleged
liquor, who disclosed the name of this petitioner and other



accused persons being involved in the smuggling of the alleged seized liquor but the said allegation is completely false and petitioner has been falsely roped in this case. Further submissions are that the apprehended co-accused persons Aditya Kumar and Mukesh Kumar Singh have been granted bail by different Benches of this Court vide orders passed in Cr. Misc. Nos. 6005 of 2020 and 10210 of 2020 respectively and three other co-accused persons namely, Rajesh Kumar, Sharawan Singh@ Sharwan Kumar Singh and Abhimanu Sahni @ Abhimanu Kumar have been granted anticipatory bail by a co-ordinate Bench of this Court vide order passed in Cr. Misc. No. 9520 of 2020 and the petitioner has been languishing in jail since 12.05.2023 and against him, the investigation has been completed.

4. Learned APP appearing for the State opposes the prayer for bail.

5. Considering the above submissions and mainly the facts that the petitioner was not apprehended at the spot and his name came into light in the statement of apprehended co-accused persons who are on bail, in my opinion, it is a fit case for bail to the petitioner. Accordingly, let the petitioner named-above be enlarged on bail on furnishing bail bond of Rs.



10,000/- (ten thousand) with two sureties of the like amount
each to the satisfaction of the concerned Court in connection
with Basantpur P.S. Case No. 11 of 2020.

(Shailendra Singh, J.)

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