

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60480 of 2022

Arising Out of PS. Case No.-394 Year-2022 Thana- TRIVENIGANJ District- Supaul

Pappu Kumar @ Prem Prabhat Kumar S/o Lakhman Mandal, R/o Lakshmanpur,
Ward no. 6, P.S.- Triveniganj, Distt- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Goutam, Advocate

For the Opposite Party/s : Mr. Surendra Prasad Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 04-01-2023 Heard learned counsel for the petitioner and learned
APP for the State through video conferencing.

Let the defect (s), if any, 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 Session Trial No. 604 of 2022 arising out of
Triveniganj P.S. Case No. 394 of 2022 registered for the alleged
offences under Sections 30(a) of Bihar Prohibition and Excise
(Amendment) Act, 2018.

As per prosecution case, recovery of 160.5 liters of
country made Nepali liquor was made from a bamboo clump,
when a raid was conducted at the said place by the police on
getting secret information, where the same was kept for selling.
The petitioner was apprehended from the spot.



Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case as he has nothing to do with the seized liquor. He was apprehended merely on suspicion. The place of occurrence does not belong to this petitioner who went to attend the call of nature in the said area and the police apprehended him on suspicion. The petitioner is in custody since 19.08.2022 and charge-sheet has been submitted.

Learned APP for the State opposes the prayer for bail.

Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the period of custody of the petitioner along with the submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Court No. 1, Supaul, in connection with Session Trial No. 604 of 2022 arising out of Triveniganj P.S. Case No. 394 of 2022, subject to the conditions mentioned in Section 437(3) of the Cr.P.C. and the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.



(ii) The petitioner will remain present on each and every date fixed by the court below.

(iii) In case of absence for 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)

Ashish/-

U		T	
---	--	---	--

