

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73617 of 2023

Arising Out of PS. Case No.-458 Year-2023 Thana- BHORE District- Gopalganj

CHHATHU RAM @ CHHATU RAM @ CHATTU RAM S/O LATE
VIRENDRA RAM @ LATE BIRENDRA RAM R/O VILLAGE- DUMAR
NARENDRA, PS. BHORE, DIST. GOPALGANJ

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vikash Kumar Shukla, Advocate
For the Opposite Party/s : Mr. Braj Kishore Pd., APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 23-11-2023

Heard the parties.

2. The petitioner is an accused in connection with Bhore P.S. Case No. 458 of 2023 registered for the offences under section 30(a) of the Bihar Prohibition and Excise Act lodged on 13.09.2023 by the informant, Vinod Kumar Yadav.

3. As per the prosecution story, the police upon secret information went to the place and found the person digging out the gunny bag, he was the petitioner herein and upon search, total 56.500 litres country made liquor were recovered/seized which followed the arrest/FIR.

4. Learned Counsel for the petitioner submits that recovery is from the outside house and only because his house is



nearby; has been implicated in this case. He has already suffered by being in custody since 14.09.2023 (as stated in paragraph 11 of the bail application) and do not have criminal antecedent.

5. Learned APP for the State, on the other hand, opposes the prayer for bail.

6. Taking into account the aforesaid fact as also his period of custody and further he do not have criminal antecedent, this Court is inclined to extend him privilege of bail.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousands only) with two sureties of like amount each to the satisfaction of the learned Additional District and Sessions Judge 2nd cum Special Judge Excise, Court No. 1, Gopalganj in connection with Bhore P.S. Case No. 458 of 2023, subject to the following conditions:-

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned



police station every fortnight for next six months to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

8. With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Neha/-

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

