

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7943 of 2024

Arising Out of PS. Case No.-881 Year-2022 Thana- DEHRI TOWN District- Rohtas

Chote Lal Yadav @ Chhote Lal Kumar, Son Of Kundan Singh @ Sushil Lal Kumar Resident Of Village-Gangouli, Police Station-Dalmianagar, District-Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sarfraz Ahmad

For the Opposite Party/s : Ms.Pushpa Sinha.1

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 26-02-2024 1. Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in anticipation of his arrest in a case registered for the offences punishable under Section 30(a) of the Excise Act.

3. The learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and the allegation is of recovery of 64 litres of liquor from a bush.

4. The learned counsel for the petitioner submits that petitioner was not arrested from the spot, as such, nothing was recovered from his conscious possession and even alleged recovery is from a place, which is accessible to public at large and does not belong to the petitioner and he came to be



implicated at the instance of Chaukidar with whom he is on an inimical term. It is next submitted that it appears that the Chaukidar, in order to save the real culprit, falsely implicated the petitioner, when admittedly petitioner is a person with clean antecedent.

5. Learned A.P.P. opposes the bail application.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.500/- (Rupees Five Hundred) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise Court No.1, Rohtas at Sasaram in connection with Dehri Town (Dalmianagar) P. S. Case No.881 of 2022, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

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(Satyavrat Verma, J)

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