

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49363 of 2024

Arising Out of PS. Case No.-151 Year-2024 Thana- UDWANTNAGAR District- Bhojpur

Chhotelal Singh @ Chhotelal Yadav S/O Suresh Singh R/O Village- Kaushik
Dularpur, P.S- Muffasil, Distt.- Bhojpur At Ara, Presently Residing Near
Mahadeva Road, Near Pani Tanki, P.S- Ara Town, Distt.- Bhojpur At Ara.
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar
For the Opposite Party/s : Mr. Khurshid Anwar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 31-08-2024 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.
2. The petitioner seeks bail in a case registered for the
offences punishable under Sections 30(a) of the Bihar Excise
Act.
3. Learned counsel for the petitioner submits that
petitioner has antecedent of six cases and allegation is of
recovery of 153 liters of liquor from a bush.
4. 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 the alleged
recovery is from a place which does not belong to the petitioner
and is accessible to public at large and he came to be implicated
based on secret information which is the easiest way to
implicate someone. It is further submitted that in majority of the



cases, police implicates accused persons either at the instance of *Chowkidar*, local people, secret information or confessional statement in a mechanical manner without holding a proper investigation. It is also submitted that once an accused is implicated in a case relating to excise, the police starts implicating mechanically and at times to save the real culprits. It is also submitted that petitioner is in judicial custody since 20.05.2024.

5. Learned A.P.P. for the State opposes the prayer for regular bail of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, be released on regular bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Udwantnagar P.S. Case No. 151 of 2024.

7. Accordingly, the present regular bail application stands allowed.

(Satyavrat Verma, J)

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