

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76728 of 2024

Arising Out of PS. Case No.-185 Year-2024 Thana- AMBA District- Aurangabad

Chunnu Kumar @ Chunnu Kumar Singh Son of Sri Ravindra Prasad Sinha @
Ravindra Prasad Singh Village- Sahpur Dharamshala, P.S. Aurangabad Town,
District- Aurangabad

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Adv.
For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 28-10-2024 Heard Mr. Rakesh Singh, learned counsel for the

petitioner and Mr. Mritunjay Kumar Nirala representing the

State.

2. The petitioner is in custody in connection with
Amba P.S. Case No. 185 of 2024 for the offence punishable
under sections 30(a) of the Bihar Prohibition and Excise Act
lodged on 22.08.2024 by the informant, Md. Auranzeb Khan.

3. As per the prosecution story, the allegation is that
during the patrolling duty, a tempo was intercepted, he tried to
escape but apprehended and there is/was recovery of 87.48 liters
of foreign liquor. This led to the FIR.

4. Learned counsel for the petitioner submits that he
does not own the tempo and he tried to escape only because was



driving the vehicle without having a driving license but as he tried to escape, the police created a story which resulted into his incarceration since 23.08.2024 (para 13 of the petition). The last submission is that he do not have criminal antecedent.

5. Learned APP opposes the prayer for bail submitting that the petitioner was driving the tempo when the recovery/seizure has been made.

6. Taking into account the fact that he is in custody since 23.08.2024, having no criminal antecedent, this Court is inclined to extend him the privilege of bail with conditions.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Special Judge, Excise, First, Aurangabad in connection with Amba P.S. Case No. 185 of 2024 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her 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 six months to mark his 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 the 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.

(Rajiv Roy, J)

Vijay Singh/-

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