

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87768 of 2024

Arising Out of PS. Case No.-340 Year-2024 Thana- BIBHUTIPUR District- Samastipur

CHHOTU KUMAR Son of Budhan Mahto R/o Village- Sohilwara, Ward No. 1, P.S.- Mnsurchak, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Mritunjay Kumar, Adv
	:	Mr. Gunjan Kumar Jha, Adv
	:	Mr. Sandeep Kumar, Adv
For the Opposite Party/s	:	Mr. Braj Kishore Pd. APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 06-02-2025 Heard learned counsel for the petitioner and learned A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Bibhutipur P.S. Case No. 340 of 2024 dated 08.10.2024 registered for the offences punishable u/s 30(a) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 36 litres of illicit foreign liquor was recovered *from the Motorcycle*.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not the owner of the said seized vehicle. As per the seizure list, the recovery has been made near



pond situated at *Tinbatia* which is accessible to anyone. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 09.10.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation levelled against the petitioner and the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Samastipur in connection with Bibhutipur P.S. Case No. 340 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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