

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.1844 of 2017

Arising Out of PS.Case No. -82 Year- 2016 Thana -GOPALPUR District-
WESTCHAMPARAN(BETTIAH)

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CHANDAN KUMAR PANDEY @ CHANDAN PANDEY, Son of
Ghanshyam Pandey, Resident of village - Patharighat Khushi Tola, P.S.
Bairiya, District - West Champaran Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Vibhakar Kumar

For the Opposite Party/s : Mr. Md. Fahimuddin

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 19-01-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Gopalpur P.S.
Case No. 82 of 2016 registered for the offences punishable under
Sections 414, 272, 273/34 of the Indian Penal Code read with
Sections 47/57 of Bihar Excise Amendment Act, 2016.

From a tempo Nepali liquor was recovered and the
petitioner was driving the said tempo and he disclosed the name of
other co-accused that they are the owner of the recovered articles.
Similarly situated co-accused Raju Kumar, Dinesh Prasad and
Israr Alam were granted bail vide Cr. Misc. No. 54021 of 2016,
49131 of 2016 and 48530 of 2016 respectively and the petitioner
being driver who was carrying the bundle without any knowledge
is suffering in custody since 29.08.2016 for his no fault.



Learned APP opposes the prayer of bail.

In the facts and circumstances stated above, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sri Wasim Akram, J. M. Ist Class, West Champaran at Bettiah in connection with Gopalpur P.S. Case No. 82 of 2016, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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