

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6590 of 2019

Arising Out of PS. Case No.-211 Year-2018 Thana- DUMARIAGHAT District- East
Champaran

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Chandan Kumar, age about 22 years, Gender -Male, Son of Hardev Paswan,
Resident of Village - Makuna Ward No. -13, P.S. Bihar, District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Amar Nath Yadav, adv.
For the Opposite Party/s : Mr.Anant Kumar I (APP)

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 14-02-2019 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with Dumariyaghat P.S. Case No. 211 of 2018
registered for the offences punishable under Sections 272, 273,
34 of the Indian Penal code and Section 30(a) of the Bihar
Prohibition and Excise Act, 2016.

Allegation is recovery of 187.725 liters of illicit
foreign liquor from the dickey of Maruti Suzuki car, in which
four FIR named accused persons including petitioner were
traveling.

It has been submitted on behalf of the petitioner
that he is innocent and has committed no offence. He has been
falsely implicated in this case merely on the basis of suspicion.



Nothing has been recovered from the conscious possession of the petitioner. Petitioner is neither the owner nor the driver of the vehicle in question. Similarly placed co-accused has been granted bail by co-ordinate bench of this court passed in Cr. Misc. No. 6343 of 2019 vide order dated 05.02.2019. Petitioner is in custody since 11.12.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-7th-cum-Special Judge, Excise, East Champaran, Motihari, in connection with Dumariyaghat P.S. Case No. 211 of 2018, subject to conditions:

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Petitioner shall co-operate in the trial and shall be represented on each and every date fixed by the court.
- (3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.
- (4) If the petitioner is found involved in similar nature of offences, after his release on bail the trial court shall take steps to cancel his bail bonds.

(S. Kumar, J)

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