

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.79834 of 2018**

Arising Out of PS. Case No.-426 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.  
District- Gaya

=====

Chandan Kumar son of Nunu Lal Ram, resident of Mohalla- Rajendra Nagar,  
P.S.- Patrakar Nagar, District- Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr.Satish Kumar Sinha  
For the Opposite Party/s : Mr.Gauri Shankar Gupta

=====

**CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA**  
**ORAL ORDER**

2      16-01-2019                      Heard learned counsel for the petitioner and the  
  
learned APP for the State.

The petitioner seeks bail in connection with Excise  
(Sherghati) P.S. Case No. 426 of 2018 instituted for the offence  
under Section(s) 30(a) and 56(b) of the Bihar Prohibition &  
Excise Act, 2016.

It is alleged that huge quantity of foreign liquor has  
been recovered from a Sumo Victa vehicle.

Learned counsel for petitioner submits that petitioner  
is neither owner nor driver of the aforesaid vehicle.

From the prosecution report it appears that recovery  
has been made from the aforesaid vehicle and not from  
conscious possession of this petitioner. Learned counsel for



petitioner also points out that the case has been registered in Gaya District although recovery is shown to have been made from Patna District.

Petitioner is in custody since 18.11.2018.

Considering the aforesaid, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge (Excise Act), Gaya in connection with Excise (Sherghati) P.S. Case No. 426 of 2018 subject to the condition that both the bailers shall be the close relative of the petitioner.

It is mentioned in para 3 of the bail petition, that petitioner is accused in one another case under the Excise Act.

The petitioner will file affidavit at the time of filing bail bond that he would not indulge in such type of activities in future. If he is found indulged in such type of activities, his bail bond in instant case will liable to be cancelled.

**(Sanjay Priya, J)**

shyambihari/mu  
kesh-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

