

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No 2257 of 2020**

Arising Out of PS. Case No.-65 Year-2019 Thana- BHADAUR District- Patna

Chandan Kumar @ Bahiru @ Baihra Son of Late Bechan Mahto Resident of  
Village- Darbey, P.S.- Bhadaur and District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Manish Kumar No2  
For the Opposite Party/s : Mr.Mukesh Kumar Singh

**CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD**

**ORAL ORDER**

**2      16-01-2020**      Heard learned counsel for the petitioner and the learned  
APP for the State.

The petitioner seeks bail in Bhadaur Police Station (for  
brevity, *PS*) Case No 65 of 2019 instituted for the offence  
punishable under Section (s) 30 (a) of Bihar Prohibition and  
Excise Act, 2016.

On alleged recovery of 20 liters of country made liquor  
from the petitioner and one co-accused, they have been  
apprehended while moving on a motorcycle. Petitioner's  
counsel submits that it is a false case. Petitioner has no concern  
with the seized motorcycle and liquor. There is non-compliance  
with the procedure under Section 100 of Criminal Procedure  
Code. It is also submitted that the petitioner has no criminal



antecedent and he is in custody since 19.09.2019.

Learned APP for the State opposed the prayer for bail.

Considering the aforesaid, let the petitioner, above named, be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Special Judge, Excise Act, Patna in connection with Special Case No 8411 of 2019 arising out of Bhadaur PS Case No 65 of 2019 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

**(Madhuresh Prasad, J)**

**M.E.H./-**

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