

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11379 of 2020

Arising Out of PS. Case No.-93 Year-2012 Thana- GOVERNMENT OFFICIAL COMP.
District- Saharsa

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Chandan Gupta @ Chandan Kumar @ Chandar Gupta, Male, aged about 40 years, son of late Kalar Gupta @ Koleshwar Gupta @ Kauleshwar Gupta @ Kauleshwar Prasad Gupta, resident of village- Sour Bazar, Karpa Patti, P.S.- Sour Bazar, District- Saharsa.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Amarnath Jha, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

4 03-12-2020 Heard learned counsel for the petitioner and

learned APP for the State through Virtual Court Proceeding.

In this case, the petitioner is seeking regular bail in connection with Criminal Miscellaneous No. 35 of 2018, arising out of Miscellaneous Case No. 93 of 2012, registered for the offence under Section 47(a) of the Bihar Prohibition and Excise Act.

Allegation has been made that about 52 liters of Indian made foreign liquor has been recovered from the premises of the petitioner.

Though the petitioner has two more criminal cases over his head but, in the present case, he is in custody since 27.01.2020.



Looking to the period of custody, let the petitioner, above-named, be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge - II-cum- Special Judge (Excise), Saharsa, in connection with Criminal Miscellaneous No. 35 of 2018, arising out of Miscellaneous No. 93 of 2012, subject to the condition that (i) if in future the petitioner is found involved in similar type of cases, the prosecution will be at liberty to make prayer for cancellation of bail and (ii) the petitioner would cooperate in the proceeding of the court below. In the event of failure to appear on two consecutive dates, the court below will be at liberty to pass appropriate order including cancellation of bail bonds of the petitioner.

(Shivaji Pandey, J)

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