

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 16728 of 2020

Arising Out of PS. Case No.-450 Year-2019 Thana- RUNISAIDPUR District- Sitamarhi

CHANDRA SHEKHAR RAI @ CHANDRA SHEKHAR KUMAR S/o Gaya
Rai Resident of Village- Baghari Manorthi Tola, P.S.- Runni Saidpur, Distt-
Sitamarhi.

... .. Petitioner/s

Versus

THE STATE OF BIHAR.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hans Lal Kumar, Adv.

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

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 14-10-2020 The proceedings of the Court are being conducted
through Video Conferencing and the Advocates joined the
proceedings through Video Conferencing from their residence.

Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner apprehends his arrest in a case registered
under Sections 30(a), 30(9), 38(i), 41(i), 41(ii) of the Bihar
Prohibition and Excise Act, 2016.

Informant is the police officer, who in his written
complaint has alleged that on 27.10.2019 at about 7:00 hours he
received secret information that Tapeswar Rai alongwith his
associates Anirudh Rai, Akhilesh Rai and others is going to
bring huge quantity of foreign liquor on a truck at village



Baghari. On such information he alongwith other police personnel reached said place and saw that one truck was standing there and on seeing the police party, driver of the truck and some miscreants fled away. It is further alleged that local Chaukidar disclosed their name as Tapeswar Rai, Akhilesh Rai, Chandrashekhar Rai (petitioner), Subhash Rai, Anirudh Rai and Vijay Rai but he did not identify the name of driver of the truck and two others. On search 2330.640 litres of foreign liquor was recovered from the truck.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case due to dirty village politics and only on the basis of suspicion. Nothing was recovered from his conscious possession. Petitioner is not concern with the alleged truck and liquor loaded thereon. Petitioner has no criminal antecedent.

Considering the facts and circumstances of the case, prayer of anticipatory bail is allowed and petitioner named above in the event of arrest or surrender before the court below within four weeks from today, Petitioner is directed to be released on bail on furnishing bail bonds of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J.-II-cum-Special Judge,



Excise Act, Sitamarhi, in connection with Runni Saidpur P.S.
Case No. 450 of 2019, subject to the conditions as laid down
under Section 438(2) of the Code of Criminal Procedure with
following 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 bond.

(S. Kumar, J)

veena/rajiv-

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