

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19599 of 2020**

Arising Out of PS. Case No.-108 Year-2020 Thana- ARA NAGAR District- Bhojpur

CHANDAN KUMAR Son of Vijay Yadav Resident of Village- Shri Tola,
Police Station.- Ara Nawada, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar, Advocate

For the Opposite Party/s : Mr. Ajay Kumar Jha, APP

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 29-06-2020 This matter is taken up for consideration through

Video Conferencing under the orders of Hon'ble the Chief

Justice.

Heard learned counsel for the petitioner and

Additional Public Prosecutor for the State.

The petitioner seeks bail in **Ara Nawada P.S. Case
No. 108 of 2020 corresponding to Excise Case No. 418 of
2020**, registered for the offence punishable under Section 30(a)
of the Bihar Prohibition and Excise Act, 2018.

70 litres of country made liquor is alleged to have

been recovered from a house and this petitioner is alleged to

have fled away from that house after seeing the police party.

It is submitted by learned counsel appearing on behalf

of petitioner that petitioner has falsely been implicated in this



case. Nothing has been recovered from conscious possession of this petitioner. Recovery has been made from the house of one Aklu Mushar. Petitioner is not apprehended on the spot. Petitioner has no concern with the seized liquor. The provision of section 100 Cr.P.C has not been followed. Petitioner is in custody since 06.05.2020.

Considering the facts aforesaid, the petitioner above-named, is directed to be enlarged 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 **4th Additional Sessions Judge -cum-Special Judge, Excise, Bhojpur, Ara** in connection with **Ara Nawada P.S. Case No. 108 of 2020 corresponding to Excise Case No. 418 of 2020**, subject to the conditions:-

(i) The petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) 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.

(Prabhat Kumar Singh, J)

vinita/-

U		T	
---	--	---	--

