

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85596 of 2019

Arising Out of PS. Case No.-668 Year-2019 Thana- KUDHNI District- Muzaffarpur

CHANDAN KUMAR SHAHI Son of Laxmi Narayan Shahi Resident of
Village - Gorigama Dih, P.S.- Saraiya, Distt.- Muzaffarpur.... ... Petitioner
Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr.Rajiv Ranjan, Advocate

For the Opposite Party/s : Mr.Damodar Prasad Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 17-01-2020 Heard learned counsel for the petitioner and learned APP
for State.

The petitioner in this case is seeking regular bail in connection with Kudhani P.S. Case No. 668 of 2019 registered for the offences punishable under Sections 414, 467, 468, 471/34 of the Indian Penal Code and Sections 30(a), 38(i), 41(i) of the Bihar Prohibition & Excise Act.

Learned counsel for the petitioner submits that the petitioner is said to be the driver of the pick-up van from which allegedly illicit liquor has been recovered. It is submitted that the petitioner is in custody since 14.10.2019 having no criminal antecedent. It is further submitted that co-accused Tarkeshwar Chaudhary has been allowed bail by a learned co-ordinate Bench of this Court in Cr. Misc. No. 80895 of 2019.

Learned APP for the State has opposed the prayer for regular bail of the petitioner.

Considering the facts and circumstances of the case



wherein it is the submission of learned counsel for the petitioner that this petitioner is the driver of the pick-up van but the pick-up van does not belong to him and further that the petitioner is in custody since 14.10.2019 having no criminal antecedent and the co-accused Tarkeshwar Chaudhary has been allowed bail by a learned co-ordinate Bench of this Court in Cr. Misc. No. 80895 of 2019, let the petitioner above named be released on bail on furnishing of bail bond of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Muzaffarpur in connection with Kudhani P.S. Case No. 668 of 2019, subject to the condition as laid down under Section 437 (3) of the Cr.P.C. i.e.

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any Police officer or tamper with the evidence.

(Rajeev Ranjan Prasad, J)

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