

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13168 of 2021**

Arising Out of PS. Case No.-186 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Purnia

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CHANCHAL SAHA Son of Chaitanya Saha @ Choitanya Saha Resident of
Village - Silliguri (NJP) Shantipara, P.S.- Bhakti Nagar, District - Jalpaiguri
(West Bengal).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana, Adv.

For the Opposite Party/s : Ms. Renuka Ratnakar, APP

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**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER**

2 20-07-2021 In view of sudden resurgence of COVID-19 infection

there is limited functioning of the High Court and therefore the

matter has been listed for consideration through virtual mode.

Heard learned Counsel for the petitioner and the
learned APP for the State.

This Court would expect that the petitioner's Counsel
would honour his undertaking in the instant proceedings
regarding supply of requisite court fee etc. within two weeks
from the date he is called upon to do so by the office.

Petitioner seeks bail in C-I Case No. 186 of 2020,
registered under Section 30(a) of Bihar Prohibition and Excise
Act, 2016.

Petitioner is co-driver of the Mahindra Pick-up van



from which 900 litres foreign liquor has allegedly been recovered.

Learned counsel for the petitioner submits that the petitioner, having no criminal antecedent, has been in custody since 17.10.2020. He submits that even as per allegation liquor was concealed behind the banana. Petitioner being co-driver was oblivious of the contents. The recovery is not in accordance with law.

Learned APP has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge (Excise), Purnea in C-I Case No. 186 of 2020, 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)

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