

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26345 of 2021

Arising Out of PS. Case No.-328 Year-2019 Thana- KARAHGAR District- Rohtas

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DHIRAJ CHANDRAVANSI Son of Late Sarju Chandravanshi Resident of
Village - Baradeeh, Police Station - Agrer, District - Rohtas.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Setu Prateek

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

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 29-07-2021 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 learned
A.P.P for the State.

The petitioner seeks bail in Kargahar (Barhari OP)
P.S. Case No. 328 of 2019, registered for the offence punishable
punishable under Section 30(a) of the Bihar Prohibition and
Excise Act, 2018 and sections 25(1-b)a, 26 and 30 of the Arms
Act.

5440.14 litres of foreign liquor has been recovered
from a Rice Mill and owner of Rice Mill namely, Mahavir Saw
was apprehended on the spot and it is alleged that the aforesaid
consignment was brought by this petitioner along with co-



accused persons.

It is submitted that no recovery has been made from conscious possession of this petitioner. The rice mill does not belong to this petitioner and has got no concern with the seized liquor. Petitioner is in custody since 14.12.2020.

Learned APP however, vehemently opposed the prayer for bail.

Considering the huge quantity of recovery and criminal antecedent, the petitioner above-named, is directed to be enlarged on bail **after framing of charge**, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge 2nd-cum-Special Judge (Excise Act), Rohtas at Sasaram in connection with Kargahar (Barhari OP) P.S. Case No. 328 of 2019, subject to following 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)

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