

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38104 of 2021

Arising Out of PS. Case No.-70 Year-2021 Thana- KALYANPUR District- Samastipur

Chandan Kumar S/o Sukhdev Ray @ Sukadev Ray R/o village- Ajana, P.S.-
Kalyanpur, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mahendra Pratap

For the Opposite Party/s : Mr.Ram Naresh Ray, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 23-09-2021 This matter is taken up for consideration through
Video Conferencing.

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

The petitioner seeks bail in Kalyanpur P.S. Case No.
70 of 2021 (Computer registration no. 308 of 2021), registered
for the offence punishable punishable under Section 30(a), 41(i)
(ii), 47 of the Bihar Prohibition and Excise Act, 2018.

654.480 litres of foreign liquor has been recovered
from a truck and this petitioner was apprehended on the spot.

It is submitted that no recovery has been made from
conscious possession of this petitioner rather the same has been
recovered from a truck. Petitioner is neither driver nor owner of
the vehicle in question. Petitioner has got clean antecedent and



he is in custody since 18.03.2021. Investigation is complete.

Considering the period of custody coupled with the fact that petitioner bears clean antecedent, 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 Additional Sessions Judge IInd-cum-Special Judge Excise, Samastipur in connection with Kalyanpur P.S. Case No. 70 of 2021 (Computer registration no. 308 of 2021), 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)

vinita/-

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