

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37921 of 2021

Arising Out of PS. Case No.-420 Year-2020 Thana- SHEOHAR District- Sheohar

Chandan Kumar @ Chandan Ray Son of Rajbalam Ray @ Rambalak Ray
Resident of Village - Kothiya, P.S.- Sheohar, District - Sheohar

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Devendra Kumar

For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 03-12-2021 Let the defects, if any, be removed within four weeks
of the complete start of the Physical Court.

Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered in connection
with Sheohar. P. Case No. 420 of 2020 for the offences
punishable under Section 30(a) of Bihar Prohibition and Excise
Act 2018.

On search by the police personnel 11.9 liters Nepali
country made liquor was recovered from possession of three
ladies.

Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case on the basis of
suspicion. He further submits that nothing has been recovered



from conscious possession of the petitioner rather the alleged recovery has been made from three ladies. Petitioner is in jail custody since 31.03.2021.

The learned A.P.P opposed the prayer for bail of the petitioner and submits that except this case, petitioner has one more case of this nature ie. Sheohar P.S.Case No. 384 of 2020.

Considering the aforesaid facts and circumstances as well as submissions of the parties and period of detention of the petitioner, 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 2nd Additional Sessions Judge-II cum Special Judge, Excise, Sheohar in connection with Sheohar P.S. Case No. 420 of 2020 ,subject to the following conditions;-

1. 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 on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

2. If the petitioner tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.



3. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentions order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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