

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38599 of 2021

Arising Out of PS. Case No.-274 Year-2021 Thana- GARKHA District- Saran

Chandan Kumar Pandey Son of Brajbhushan Pandey Resident of Village-
Bhuaalpur, P.S.- Madhora, District- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Milind Kumar Mishra

For the Opposite Party/s : Mr.Sanjay Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 24-09-2021 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 Garkha P.S. Case No. 274
of 2021, registered for the offence punishable punishable under
Section 30(a)(d), 41(1)(2), 33, 34 and 36 of the Bihar
Prohibition and Excise Act, 2016.

170 litres of foreign liquor and 70 litres of spirit and
445 pcs. of cover have been recovered from the godown of co-
accused Saheb Ray and this petitioner is alleged to have fled
away after seeing the police party.

It is submitted that no recovery has been made from
conscious possession of this petitioner. Recovery has been made



from the godown of co-accused Saheb Ray and petitioner has got nothing to do with the alleged recovery or from the godown in question. Petitioner is in custody since 17.04.2021. Investigation is complete.

Considering the period of custody, 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 2nd Additional Sessions Judge-cum-Special Judge Excise, Saran in connection with Garkha P.S. Case No. 274 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)

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