

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7274 of 2021

Arising Out of PS. Case No.-370 Year-2020 Thana- CHAPRA TOWN District- Saran

Chandeshwari Rai aged about 83 years,(Male) Son of Late Ram Gulam Rai, Resident of village- Rauza Pashchhimari, PS Chapra Twn Dist- Saran at Chpara.

... .. Petitioner

Versus

The State of Bihar

... .. Opp Party

Appearance :

For the Petitioner : Ms. Rajani Kumari, Advocate
For the State : Mr. Binod Kumar 3 APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 24-06-2021 In view of the sudden resurgence of Covid-19 infection, there is limited functioning of the High Court and, therefore, the matter has been listed today for consideration through virtual mode.

2. Heard learned counsel for the petitioner and learned counsel for the State

3. The petitioner seeks bail in Chapra Town PS Case No. 370 of 2020, instituted for the offence under Section 30(a), 41(i) (ii) of the Bihar Prohibition and Excise Act, 2018.

4. Learned counsel for the petitioner is expected to honour her undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by office when called upon to do so by the office.

5. 154.125 ML foreign liquor has allegedly been recovered from the house of the petitioner.

6. The learned counsel for the petitioner submits that he is not the sole person residing in the house and no liability can be fastened on the petitioner for the alleged recovery, which



factually is denied and disputed. The petitioner is aged about 83 years and he is now in custody since 14.07.2020 though he has no criminal antecedents .

7. The learned APP representing the State has opposed the prayer for bail .

8. Considering the rival submissions, let the petitioner, above named, be released 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 District and Sessions Judge-II, Saran at Chapra in connection with Chapra Town PS Case No. 370 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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