

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56493 of 2021

Arising Out of PS. Case No.-103 Year-2021 Thana- DURGAWATI District- Kaimur (Bhabua)

Chandan Kumar S/o- Ramdhani Ram @ Ramdhani R/o Village- Kormi, P.S.-
Kandawa, District- Chandauli (U.P.)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Tribhuwan Narayan

For the Opposite Party/s : Mr.Suresh Prasad Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 20-12-2021 Heard learned counsel for the parties.

The petitioner seeks bail in a case registered for the offence under Section 30(a) of Bihar Prohibition and Excise Act and Section 414 of the Indian Penal Code.

25 liters of illicit foreign liquor has been recovered from the motorcycle of the petitioner and the said motorcycle is also alleged to be stolen one.

It is submitted on behalf of petitioner that nothing has been recovered from the conscious possession of this petitioner. In fact, the alleged motorcycle was purchased by this petitioner from his co-villager and was not aware about the fact that motorcycle in question was stolen one. Petitioner is in custody since 07.05.2021.



Learned A.P.P. for the State has opposed the bail petition and submitted that petitioner has got criminal antecedent and he is accused in one more case of Excise Act.

Considering the quantity of recovery and the fact that petitioner has got criminal antecedent of similar nature of case, the learned court below, where the case is pending, is directed to release the petitioner on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Excise Case No. 433 of 2021, arising out of Durgawati P.S. Case No. 103 of 2021, **after framing of the charge.**

(Prabhat Kumar Singh, J)

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