

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6785 of 2021

Arising Out of PS. Case No.-152 Year-2019 Thana- MADHEPUR District- Madhubani

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CHANDESHWAR CHAUPAL @ CHANDE CHAUPAL @ CHANDAI
CHAUPAL @ CHANDRAS CHAUPAL SON OF LATE MANIK
CHAUPAL RESIDENT OF VILLAGE-SIKARIYA, P.S-MADHEPUR,
DISTRICT-MADHUBANI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Prakash, Advocate
For the Opposite Party/s : Mr. Anand Kishore Chaudhary, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 08-07-2021 Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State through video

conferencing.

The petitioner has filed the instant application for
grant of regular bail in connection with Madhepur P.S. Case no.
152 of 2019 registered under sections 272 and 273 of the Indian
Penal Code and section 30(a) of the Bihar Prohibition and
Excise Act, 2016.

As per allegation in the FIR, on a raid being
conducted on the basis of the secret information having been
received, it is stated by the informant that 260.765 litres of
IMFL was recovered and the accused persons caught. They
disclosed that the liquor belongs to the petitioner herein.



It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from his person or possession. He has been falsely implicated in the case. He is in custody since 19.10.2020.

The application for bail is opposed by learned Additional Public Prosecutor for the State who submits that the earlier application for anticipatory bail of the petitioner was rejected vide order 25.2.2020 (Annexure-1) passed in Cr. Misc. no. 945/2020 directing the petitioner to surrender in the Court below within a period of 4 weeks. The petitioner did not comply with the direction of this Court but absconded till he was arrested on 19.10.2020. He has criminal antecedent under the Bihar Prohibition and Excise Act, 2016.

In the above facts and circumstances of the case, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

Liberty is granted to the petitioner to renew the prayer for bail on completing one year in custody.

(Partha Sarthy, J)

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