

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10140 of 2022

Arising Out of PS. Case No.-247 Year-2020 Thana- JANDAHA District- Vaishali

Chandan Kumar @ Chandan Rai Son of Sri Rama Rai Resident of Village-
Chandsarai, P.S.- Jandaha, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pranav Kumar Jha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 27-06-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Let the defect(s), if any, be removed within four
weeks from today.

The petitioner seeks regular bail in connection with
Jandaha P.S. Case No. 247 of 2020 corresponding to Excise
G.R. No. 1157 of 2020 instituted for the offences punishable
under Sections 30 (a), 38(i) and 41(i) of the Bihar Prohibition
and Excise Act, 2018 read with Section 414 of the Indian Penal
Code.

Learned counsel for the petitioner submits that the
petitioner is in custody since 22.11.2021, is a person with clean
antecedent and charge-sheet has been submitted in the case.

As per the prosecution case, 2728 liters of illicit liquor



has been recovered by the police from a truck bearing Registration No. PB-12T-1891 and two persons were arrested from the truck.

Learned counsel for the petitioner submits that the petitioner has not been arrested on the spot nor any recovery of illicit liquor has been made from his conscious possession. It is further submitted that the petitioner has been implicated in this case on the basis of confessional statement of co-accused namely, Jasbir Singh. It is further submitted that the petitioner is innocent and having no criminal antecedent and is in custody since 22.11.2021. It is further submitted by the learned counsel for the petitioner that other co-accused persons namely, Manish Singh and Barun Rai have been granted bail by a Co-ordinate Bench of this Court vide in Cr. Misc. No. 22335 of 2021 and 23054 of 2022 respectively.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner.

Considering the fact that the petitioner is in custody since 22.11.2021 and charge-sheet has been submitted in the case, let the petitioner above named be released on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand only) with two sureties of the like amount each to the



satisfaction of learned Exclusive Special Excise Court No. 01-
cum-Additional Sessions Judge, Vaishali at Hajipur in
connection with Jandaha P.S. Case No. 247 of 2020.

(Khatim Reza, J)

Gaurav Kumar/-

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