

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11459 of 2022**

Arising Out of PS. Case No.-49 Year-2021 Thana- UPHARA District- Aurangabad

SHRIKANT CHANDRAVANSHI @ SHRIKANT RAM SON OF RAM
JANAM CHANDRAVANSHI R/O VILLAGE- BUDHAI KHURD, P.S.-
UPHARA, DISTRICT- AURANGABAD

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Saket Anand

For the Opposite Party/s : Mr. Jitendra Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER**

4 20-05-2022 Heard learned counsel appearing on behalf of the
petitioner and learned APP for the State.

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

Petitioner, who is in custody since 06.01.2022, seeks
regular bail in connection with Uphara P.S. Case No. 49 of 2021
dated 19.08.2021 registered for offences punishable under
Sections 30(a) (c)(d)/ 33/36 of the Bihar Prohibition and Excise
Act, 2018.

Allegation is of recovery of 280 litres of *chulai* liquor
from the house of the petitioner.

Learned counsel appearing on behalf of the petitioner
submits that petitioner is innocent and he has falsely been
implicated in the present case. Nothing has been recovered from



the conscious possession of the petitioner. Petitioner has clean antecedent and he is in custody since 06.01.2022.

Learned A.P.P., for the State has opposed the prayer for grant of bail to the petitioner. He further submits that trade of illicit liquor is rampant in the State of Bihar and often hooch tragedy is being occurred due to consumption of illicit liquor by the people at large and as such petitioner is involved in heinous crime and he does not deserve to be released on bail.

Considering the aforementioned facts and circumstances of the case, period of custody undergone by the petitioner, petitioner has clean antecedent, without going into the merits of the case, the petitioner, above named, is directed to be released on bail upon furnishing bail bond of Rs. 300,000/- (Rupees Three Lacs) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act-II, Aurangabad in connection with Uphara P.S. Case No. 49 of 2021 dated 19.08.2021 subject to the following conditions:

(i) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(ii) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(iii) 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.

(iv) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bond.

(v) The Court below is directed to verify the criminal antecedent of the petitioner as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner as what has been stated in paragraph no. 3, this order will loose its force automatically.

(Purnendu Singh, J)

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