

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18339 of 2022

Arising Out of PS. Case No.-260 Year-2021 Thana- HALSI District- Lakhisarai

Chandra Shekhar Saw @ Chandra Shekhar Verma@ Chendra Shekhar Verma
S/o Late Gangotri Saw @ Late Gangotri Verma Resident of Village-
Sirkhindi, P.S.- Halsi, District- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 08-07-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

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

The petitioner seeks bail in connection with Halsi P.S.
Case No. 260 of 2021 registered for the offence under Sections
272 and 273 of the Indian Penal Code, Section 30(a) of Bihar
Prohibition and Excise Act and Sections 25(1-b)A, 26 and 35 of
Arms Act.

The accused/petitioner is named in the F.I.R. and is in
custody since 13.12.2021.

The allegation against the petitioner is to have in
possession of 750 ml of IMFL from the house of the petitioner.



Learned counsel appearing on behalf of the petitioner submitted that the recovery cannot be said from the conscious physical possession of the petitioner, as same is from the jointly occupied house of the petitioner. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and, moreover, investigation in this case is complete for which chargesheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State while opposing the prayer of bail fairly conceded the fact that recovery is from the jointly occupied house of the petitioner.

Considering the facts and circumstances as mentioned above, as recovery cannot be said from the conscious physical possession of the petitioner, who is a man of clean antecedent coupled with the fact that chargesheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Halsi P.S. Case No. 260 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-IV-cum-Exclusive Special Excise Judge, Court No.1, Lakhisarai, subject to the following conditions:



“(i) Accused/Petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner, duly supported by the documents.

(ii) That one of the bailors shall be Deepak Prasad Verma, who is the son-in-law of the petitioner and deponent of the present bail petition.”

(Chandra Shekhar Jha, J)

Ankit/-

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