

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23523 of 2022

Arising Out of PS. Case No.-58 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Madhepura

=====

Chandan Pashi @ Chada Pasi, Son of Late Ratan Lal Pasi, Resident of Village
- Gamhariya , ward no.06, P.s.- Gamhariya, Distt.- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Sharda Nand Mishra, Advocate
For the Opposite Party/s : Mr.Akbar Ali, APP

=====

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 05-08-2022 Heard learned counsel for the petitioner and learned APP
for the State through video conferencing.

Let the defect (s), as pointed out by the office, be removed within a period of four weeks from the date of resumption of physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in connection with Madhepura Excise P.S. Case No. 58 of 2021 registered for the alleged offences under Section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2018.

As per prosecution case, on raid being made the petitioner fled away leaving behind a bag containing 3.6 litres of Nepali country made wine.

The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this



case. The petitioner was not arrested from the spot and nothing incriminating has been recovered from his conscious possession. The petitioner is in custody since 29.03.2022 and the charge-sheet has been submitted in this case.

Learned APP opposes the prayer for bail.

Having regard to the submissions made hereinabove and considering the fact that the petitioner was not apprehended from the spot and further considering the submission of charge-sheet along with the period of his custody, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Session Judge-4th-cum-Special Judge Excise, Madhepura, in connection with Excise Case No. 1139 of 2021/58 of 2021, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditions :

- (i) The bail bond of the petitioner will be accepted only after framing of charge, if not already framed.
- (ii) One of the bailors will be Krishnandan Kumar, brother of the petitioner, who has sworn the affidavit.
- (iii) The petitioner will remain present on each and every date fixed by the court below.
- (iv) In case of absence on three consecutive dates or



in violation of the terms of the bail, the bail bond of
the petitioner will be liable to be cancelled by the
court concerned.

(Arun Kumar Jha, J)

balmukund/-

U		T	
---	--	---	--

