

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25032 of 2022

Arising Out of PS. Case No.-750 Year-2021 Thana- ALAMGANJ District- Patna

Chandan Kumar, aged about- 30 years, Gender- Male, Son of Ashok Ram,
Resident of Mohalla- Sandalpur, Ambedkar Nagar, Rani Colony, P.S.-
Alamganj, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Maruti Kumari, Advocate

For the Opposite Party/s : Mr. Veena Rani Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 10-08-2022 Heard Mrs. Maruti Kumari, learned counsel appearing
on behalf of the petitioner and Mr. Veena Rani Prasad, learned
APP for the State.

Learned counsel appearing on behalf of the petitioner
is permitted to make certain correction in the prayer portion of
the present bail application in course of the day.

Petitioner, who is in custody since 07.11.2021, seeks
regular bail in connection with Alamganj P.S. Case No. 750 of
2021 dated 06.11.2021 registered for offences punishable under
Sections 30(a), 37(c) of the Bihar Prohibition and Excise Act,
2016.

As per the allegation made in the FIR, altogether 5
litres of country-made liquor was recovered from the possession



of the petitioner. Accordingly, seizure list was prepared which shows the involvement of other persons also in manufacturing of illicit liquor.

Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent and due to enmity, five litres of country-made liquor has been alleged to have been recovered from his possession. He further submits that petitioner has clean antecedent and he is in custody since 07.11.2021.

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 nature of allegation made in the FIR as well as the submissions made on behalf of the petitioner that nothing was recovered from the possession of the petitioner, he was forced to put his signature on the seizure list as he was near the place of occurrence, charge-sheet has already been submitted and the trial is not likely to be concluded in near future, the petitioner, above named, is directed to be released on bail upon furnishing bail bond of Rs. 25,000/- (Rupees Twenty



Five Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, Patna City in connection with Alamganj P.S. Case No. 750 of 2021 dated 06.11.2021 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.

(Purnendu Singh, J)

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