

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.26211 of 2022**

Arising Out of PS. Case No.-413 Year-2021 Thana- TAJPUR District- Samastipur

Chandra Shekhar Parihar @ Shekhar Son Of Manoj Parihar R/O Village-  
Naya Basera, P.S.- Gandhi Nagar, District- Indore (M.P.)

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner/s : Miss .Kumari Vandana, Advocate  
For the Opposite Party/s : Mr.Meena Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**  
ORAL ORDER

2      06-08-2022                      Heard learned counsel for the petitioner and learned  
APP for the State in Virtual Court Proceeding.

Let the defect(s), if any, as pointed out by the  
office, be removed within four weeks.

The petitioner is in custody in connection with  
Tajpur (Halai O.P.) P.S. Case No. 413/2021 under Section 420  
of the Indian Penal Code and 30(a), 41(ii) of Bihar Prohibition  
and Excise Amendment Act, 2018.

The prosecution case, in brief, is that one Pawan  
Kumar Yadav, SI of Halai OP Police Station alleged that on  
13.10.2021, in course of patrolling near Banbira Petrol Pump,  
he received an information that some persons brought a  
consignment of illegal wine in village Banbira. The informant



went there and arrested the accuseds and recovered/seized 90 liters of Indian Made Foreign Liquor of different size and brand from the pickup van whereas in village Mohamadpur, the police arrested some persons and recovered/seized 103.68 liters of Indian Made Foreign Liquor from a truck and prepared seizure list.

Miss Kumari Vandana, learned counsel for the petitioner submits that he being the driver had no knowledge about the cartons that were loaded on the vehicle which was to be delivered to a particular destination. She further submits that petitioner has no criminal antecedent and he is only bread earner in the family and is in custody since 13.10.2021 (as stated in para 1 of the bail application).

Considering the aforesaid submission made by the learned counsel for the petitioner as also that the petitioner do not have any criminal antecedent, is in custody since 13.10.2021 and charge-sheet stands submitted, this Court is inclined to grant him the privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Additional District Judge 2<sup>nd</sup> cum Special Judge Excise, Samastipur in



connection with Tajpur (Halai O.P.) P.S. Case No. 413/2021  
subject to the following conditions:

(i) one of the bailors should be the family members of  
the petitioner, who shall provide official document to show  
his/her bona fide;

(ii) the petitioner shall appear on each and every date  
before the Trial Court and failure to do so for two consecutive  
dates without plausible reasons will entail his cancellation of  
bail by the Trial Court itself;

(iii) he shall appear before the concerned police  
station every fortnight for next six months to mark his  
presence;

(iv) he shall in no way try to induce or promise or  
threat the witnesses or tamper with the evidence, failing which  
the State shall be at liberty to take steps for cancellation of his  
bail bonds;

With the aforesaid observations, the bail application is  
allowed.

**(Rajiv Roy, J)**

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