

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36097 of 2022

Arising Out of PS. Case No.-103 Year-2021 Thana- KARJA District- Muzaffarpur

Chandan Kumar Son Of Mahesh Rai R/O- Vill- Narhar Sarai , P.S.- Karja,
Dist.- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Upendra Kumar Chaubey, Advocate
For the Opposite Party/s : Mr.Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 02-09-2022 Let the defects, if any, be removed within four
weeks from today.

Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered in
connection with Karja P.S.Case No. 103 of 2021 for the
offences punishable under Sections 30(a) of the Bihar
Prohibition & Excise Act 2018.

It is alleged that the police on a secret information
that a pick-up-van collided with the truck rushed to the
place of occurrence and on search total 524 .97 liters Indian
made foreign liquor was recovered. The injured
apprehended person disclosed the name of various persons



including the petitioner.

Learned counsel for the petitioner submits that petitioner was not apprehended at the spot nor any incriminating material has been recovered. He submits that the name of the petitioner has been disclosed by apprehended co-accused Ranjan Kumar and Rakesh Rai and both the co-accused persons have already been granted bail by the learned co-ordinate Bench of this Court, copy of the order annexed as Annexure-2 series to this petition. He next submits that only because of the past criminal antecedent of the petitioner in two similar kind of cases, his name has been implicated in this case.

On the other hand, learned counsel for the State opposed the bail application of the petitioner

Having heard the rival contentions of the parties and taking into consideration the fact that the petitioner was neither apprehended on the spot nor any incriminating material was recovered and moreover, other co-accused persons, who were apprehended at the spot have been granted bail by this Hon'ble Court, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs.



20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise-II, Muzaffarpur in connection with Karja P.S. Case No.103 of 2021 subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(v) The Court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancelling of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above- mentioned order shall not be



delayed for purpose of or in the name of verification.

(Harish Kumar, J)

N.K/-

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

