

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45719 of 2021

Arising Out of PS. Case No.-91 Year-2021 Thana- GURUA District- Gaya

CHANDAN KUMAR PANDEY @ CHANDAN KUMAR Son of Late Shiv
Nandan Pandey Resident of Village- Gurua, P.O.- Gurua, P.S.- Gurua, Dist-
Gaya.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar

For the Opposite Party/s : Mr.Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 12-01-2022 Heard the parties through video conferencing.

Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. for the State.

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

The petitioner, who is in custody since 17.04.2021,
seeks regular bail in connection with Gurua P.S. Case No. 91 of
2021, for the offence punishable under Sections 30(a) of the
Bihar Prohibition and Excise Act, 2016.

The prosecution case, in brief, is that altogether 68
litres of cane beer in brand of Godfather were recovered. The
petitioner along with two other co-accused, namely, Chinu
Kumar and Praveen Kumar were apprehended on the spot.

Learned counsel appearing on behalf of the petitioner



submits that no offence, as alleged in the F.I.R., has been committed by the petitioner, however, the raiding team has apprehended him on suspicion. He further submits that nothing has been recovered from the conscious possession of the petitioner. The petitioner has clean antecedent and he is in custody since 17.04.2021.

Learned A.P.P. for the State has opposed the prayer for bail.

Considering the aforementioned facts and circumstances of the case, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. One Lakh with two sureties of the like amount each to the satisfaction of the learned Addl. Sessions Judge-II-cum-Special Judge, Excise, Gaya in connection with Gurua P.S. Case No. 91 of 2021, subject to the following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(3) 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.

(4) 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 bonds.

(Purnendu Singh, J)

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