

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48280 of 2021

Arising Out of PS. Case No.-146 Year-2021 Thana- NAVINAGAR District- Aurangabad

CHANDAN KUMAR GUPTA Son of Umashankar Prasad Gupta @ Uma Prasad Resident of Village and P.S.- Akorhi Gola, District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Sinha, Adv.

For the Opposite Party/s : Mr.Veena Kumari Jaiswal, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 13-01-2022 The matter has been listed today for consideration through virtual mode.

Heard learned counsel appearing on behalf of the petitioner as well as learned Additional Public Prosecutor appearing for the State.

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

Petitioner who is in custody since 01.07.2021 seeks bail in connection with Navinagar P.S. Case No.146/2021 registered for the offence punishable under Section 30(a) of Bihar Prohibition and Excise Amendment Act, 2018.

Prosecution case in brief, is that altogether 378 liters of country made liquor was recovered from the tempo near Navinagar-Jalpa road by the police officials of Navinagar police station on 01.07.2021, seizure list was prepared in presence of



tempo driver and other three persons who were found present on the said tempo including the present petitioner, namely, Chandan Kumar Gupta.

Learned counsel appearing on behalf of the petitioner submits that he was one of the passengers on the said tempo and he was not knowing that the driver of the tempo has concealed liquor in the tempo. He further submits that petitioner has clean antecedent.

Learned APP for the State vehemently opposes the prayer for grant of bail to the petitioner.

Considering the above-mentioned facts and circumstances of the case, it is directed that the court below after verifying the criminal antecedent of the petitioner and and if no other criminal case is pending against the petitioner as what has been stated in paragraph no.3 of the bail petition, the petitioner, above named, be released on bail on furnishing bail bond of Rs.1,00,000/-(Rupees One Lac Only) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge, Ind-cum-Special Judge, Excise, Aurangabad in connection with Navinagar P.S. Case No.146/2021, 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 petitioners.

(4) If the petitioner is found involved in similar nature of offence, after release on bail, the trial court shall take steps to cancel his bail bonds.

(Purnendu Singh, J)

Prakash Narayan /-

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