

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 40705 of 2022

Arising Out of PS. Case No.-109 Year-2022 Thana- DARBHANGA District- Darbhanga

CHANDAN @ CHANDAN SAH Son of Late Ram Narayan Sah Resident of
village - Azam Nagar, P.S.- Vishwa Vidyalaya, Dist.- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar

For the Opposite Party/s : Mr.Pushpa Sinha

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 25-08-2022 Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner seeks bail in connection with Town
P.S. Case No. 109 of 2022 dated 07.05.2022 registered for the
offences punishable under Section 30(a) of the Bihar Prohibition
and Excise Act, 2016.

As per prosecution case, there is alleged recovery
of 107.25 litres foreign liquor from the Santro car in question.
The petitioner was apprehended on the spot.

Learned counsel for the petitioner submits that
petitioner is in custody since 07.05.2022 and bears no criminal
antecedent. Charge sheet has been submitted in the case and



there is no likelihood of tampering with the prosecution evidence. Learned counsel further submits that petitioner is not aware of the fact regarding the alleged recovery and he has falsely been implicated in this case due to local village politics.

The learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, period of custody, keeping in view clean antecedent of petitioner, charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge-1, Darbhanga in connection with Town P.S. Case No. 109 of 2022, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for



cancellation of bail by the learned Trial court itself.

(iii) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Alok Kumar Pandey, J)

minu/-

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

