

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44681 of 2022

Arising Out of PS. Case No.-118 Year-2022 Thana- CHENARI District- Rohtas

Chandan Singh Son of Vidya Sagar Singh Resident of village- Masarhi, P.s-
Ramgarh, Dist- Kaimur Bhabhua

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajani Kant Singh, Advocate.

For the Opposite Party/s : Mr. Ramesh Chandra,

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 14-10-2022 Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, within a
period of four weeks from today.

Heard Mr. Rajani Kant Singh, learned counsel for the
petitioner and learned APP for the State, through video
conferencing.

The petitioner seeks regular bail, who is in custody in
connection with Chenari P.S. Case No. 118 of 2022, for the
offences punishable under Section 30(a) of the Bihar Prohibition
and Excise (Amendment) Act, 2018.

The police on a secret information that some persons
are engaged in trafficking of illicit wine, intercepted one Tata
Indigo and on search total 181.44 liters foreign liquor was
recovered. It is further alleged that the petitioner along with the



driver of the said vehicle was apprehended at the spot.

It is submitted by the learned counsel appearing on behalf of the petitioner that the petitioner has neither any concern with the vehicle in question nor with the illicit wine. He further submitted that in fact on the fateful day, while he was returning after attending a marriage ceremony of his relatives, he has taken lift on the said vehicle and soon thereafter, he was apprehended by the police. He also submitted that there is no compliance of Section 100 of Cr.P.C., apart from the defiance of Section 81 and 82 of the Bihar Prohibition and Excise Act. He last submitted that the petitioner having fair antecedent, is in custody since 05.05.2022 and now the investigation of the crime is already complete and the charge-sheet has been submitted.

On the other hand learned APP for the State vehemently opposes the bail application.

Regard being had to the submissions made on behalf of the parties and considering the fact that the investigation of the crime is already complete and the charge-sheet has been submitted and there is no likelihood of commencement of the trial in near future, apart from the fact that the petitioner has neither any concern with the vehicle nor with the incriminating material, let the petitioner, named above, be released on bail on



furnishing bail bonds of Rs.20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge- 2nd -cum- Exclusive Special Excise Court-I, Rohtas at Sasaram, in connection with Chenari P.S. Case No. 118 of 2022, 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.

(Harish Kumar, J)

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