

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44868 of 2022

Arising Out of PS. Case No.-95 Year-2022 Thana- DARBHANGA GRP CASE District-
Darbhanga

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Chandan Kumar, Son of Amar Sahani @ Amar Kumar Sahani, Resident of
Village - Ushrahi, P.S.- Devdha, Distt.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimal Kumar, Advocate
For the Opposite Party/s : Mr. Madan Kumar, APP

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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. Bimal Kumar, 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 Darbhanga Rail P.S. Case No. 95 of 2022
registered for the offence punishable under Section 30(a) of the
Bihar Prohibition and Excise Act, 2018.

In course of vehicle checking at Sakri Railway
Station, the police on suspicion apprehended the petitioner and
on search, total 23.100 liters of Nepali Soufi country made wine



was recovered from a bag.

Learned counsel appearing on behalf of the petitioner submits that the petitioner was apprehended on suspicion while he was sitting at Sakri Railway Station, waiting for his train. He further submits that the petitioner has neither any concern with the bag, which was said to be recovered from the railway platform. He next submits that the petitioner, having fair antecedent, is in custody since 30.05.2022 apart from the fact that there is non compliance of Section 100(4) of the Cr.P.C.

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 charge-sheet has been submitted and there is no likelihood of commencement of trial in near future and the petitioner is in custody since 30.05.2022, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise 2nd, Darbhanga in connection with Darbhanga Rail P.S. Case No. 95 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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