

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53326 of 2022

Arising Out of PS. Case No.-14 Year-2022 Thana- JALALGARH District- Purnia

CHANDAN KUMAR Son of Late Panna Lal Sah Resident of Mohalla - Jay Prakash nagar, North of A.G. Colony (Ashiyana Nagar), Police Station-Shastri Nagar, Patna-25, Presently residing at Karanpura (Jadua), Police Station - Hajipur Town, District - Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aditya Nath Jha

For the Opposite Party/s : Mr.Uday Chand Prasad

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 11-11-2022 Heard learned counsel for the petitioner and learned APP for the State through virtual court proceedings.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 272, 273 and 34 of the Indian Penal Code as well as under Sections 30(a)/41/47 of the Bihar Prohibition and Excise Act.

14,754.24 litres of foreign liquor has been recovered from a container. The driver of the said container was apprehended by the police and he disclosed the name of the petitioner and others that they have brought the said illicit liquor.

Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in the



present case. It is further submitted that the petitioner has got one criminal antecedent of similar nature as stated in paragraph-3 of the bail application. It is also submitted that there is no recovery from the conscious possession of the petitioner.

Petitioner is agree to deposit a sum of Rs. 5,00,000/- (rupees five lakh) in the Patna High Court Legal Services Committee, Patna, bearing Account No.1413010060836, IFSC Code: PUNB0141320, Punjab National Bank, Bar Council Branch, Patna.

Taking into consideration the fact that there is no recovery from the conscious possession of the petitioner, let petitioner, above named, in the event of his arrest or surrender before the learned court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise-1, Purnea in connection with Jalalgarh P.S. Case No.14 of 2022, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure as well as subject to the further conditions that:

(i) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.



(ii) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

The bail bond of the petitioner shall be accepted by the learned court below on showing receipt of deposit of the aforesaid amount in the Patna High Court Legal Services Committee, Patna.

(Anjani Kumar Sharan, J)

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