

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.62584 of 2021**

Arising Out of PS. Case No.-184 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.  
District- Saran

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Chandan Kumar Son Of Jayram Chaudhary Resident Of Village - Kurji  
Bhagera Aashram, P.S.- Digha, District - Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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**Appearance :**

For the Petitioner/s : Mr. Gauri Shankar Prasad, Advocate

For the Opposite Party/s : Mr. Pradeep Narain Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**  
**ORAL ORDER**

2      13-06-2022                      Learned counsel for the petitioner undertakes to remove all the defects as pointed out by office within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr. Pradeep Narain Kumar, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Excise Case No. 184 of 2021 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act. He is in custody in the present case since 09.08.2021. The petitioner has got no criminal antecedent.

Learned counsel for the petitioner submits that as per the prosecution story, the Excise Sub-Inspector while on vehicle checking duty at Mashrakh intercepted a car and on search of the said car, total 180 liters of foreign liquor was recovered and



two persons including this petitioner were arrested from the car.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the petitioner has no knowledge about the illicit liquor kept in the car. The petitioner is in custody since 09.08.2021 having no criminal antecedent.

Learned APP for the State is present and has opposed the prayer for regular bail of the petitioner.

Having regard to the submission that the petitioner is said to be a companion who was sitting beside the driver in the car from which 180 liters of foreign liquor has been recovered, he has no criminal antecedent and has remained in custody for 10 months, therefore, this Court directs that the petitioner above named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned 2<sup>nd</sup> Additional Sessions Judge-II-cum-Special Judge, Excise, Saran in connection with Excise Case No. 184 of 2021, subject to the condition as laid down under Section 437 (3) Cr.P.C.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal



antecedent, the court below shall take steps for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

The application stands allowed.

**(Rajeev Ranjan Prasad, J)**

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Note: the ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during pandemic period all concerned shall act on the basis of the copy of the order uploaded on the high court website under the heading 'judicial orders passed during the pandemic period'.

