

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65306 of 2021

Arising Out of PS. Case No.-143 Year-2020 Thana- DAGARUA District- Purnia

=====

CHEGNA @ SHAHBAZ @ MD. SHAHNAWAZ ALAM Son of Abdul
Quadir @ Abdul Kadeer Resident of Udharna (Lokari), P.S.- Dagarua, District
- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Md Fazle Karim, Advocate

For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 13-05-2022 Heard learned counsel for the parties through video
conferencing in view of COVID -19.

Let the defect(s), if any, be removed within four
weeks.

The petitioner is in custody in connection with Special
Excise Case No. 347 of 2020 arising out of Dagarua P.S. Case
No. 143 of 2020 registered under Sections 272 and 273 of the
Indian Penal Code and Section 30(a) of the Bihar Prohibition
and Excise Act, 2016.

As per the prosecution case, the police upon secret
information was conducting vehicle check in which they noticed
a motorcycle without any registration number approaching them
with a black bag hanging in the said vehicle. It was intercepted



and the bag was searched which led to recovery of 15.750 liters of foreign liquor. The same was seized and in this way, the petitioner came into judicial custody on 06.09.2021 and is in jail since then.

Considering the fact that charge sheet has already been submitted and the petitioner is in jail since 06.09.2021 (as stated in paragraph-12 of the bail application), this Court is inclined to grant him the privilege of bail but with certain conditions in view of the fact that he has criminal antecedent.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Special Judge (Excise), Purnea in connection with Special Excise Case No. 347 of 2020 arising out of Dagarua P.S. Case No. 143 of 2020, subject to the following conditions :-

(i) one of the bailor should be the family member of the petitioner, who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reasons will entail his cancellation of bail by the Trial Court itself;



(iii) he shall appear before the concerned police station every fortnight for next six months to mark his presence;

(iv) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

Jagdish/-

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

