

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70252 of 2021

Arising Out of PS. Case No.-289 Year-2021 Thana- DAGARUA District- Purnia

Chandan Kumar, Son of Sri Dharendra Poddar, Resident of Village - Gangeli,
P.S. - Banmankhi, District - Purnea.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amit Kumar Anand, Advocate

For the Opposite Party/s : Mr.Bishweshwar Ram, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 05-08-2022 Heard learned counsel for the petitioner and learned
APP for the State through video conferencing.

Let the defect (s), as pointed out by the office, be removed within a period of four weeks from the date of resumption of physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in connection with Dagarua P.S. Case No. 289 of 2021, registered for the alleged offences under Sections 272, 273 of the Indian Penal Code and Section 30 (a) of the Bihar Prohibition and Excise Act.

Allegedly, 53.890 liters of India made foreign liquor was recovered from the petitioner, who was driving a motorcycle and he is stated to be supplier of illicit liquor from door to door.



The learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Nothing incriminating has been recovered from his conscious possession. The seizure list has not been prepared in accordance with the provisions of law and it is a concocted document. The charge sheet has been submitted in this case and the petitioner is in custody since 14.10.2021.

Learned APP opposes the prayer for bail.

Having regard to the submissions made hereinabove and considering the submission of charge sheet and the period of custody of the petitioner, he is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, Purnea, in connection with Dagarua P.S. Case No. 289 of 2021, subject to the conditions mentioned in Section 437 (3) of the Code of Criminal Procedure and also the following conditions :

- (i) The bail bond of the petitioner will be accepted only after framing of charge, if not already framed.
- (ii) One of the bailors will be Dhirendra



Poddar, father of the petitioner, who has sworn
the affidavit in this case.

(iii) The petitioner will remain present on each
and every date fixed by the court below.

(iv) In case of absence on three consecutive
dates or in violation of the terms of the bail, the
bail bond of the petitioner will be liable to be
cancelled by the court concerned.

V.K.Pandey/-

(Arun Kumar Jha, J)

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