

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59715 of 2022

Arising Out of PS. Case No.-56 Year-2022 Thana- KAJRAILCHAK District- Bhagalpur

Chandan Sharma Son of Yogendra Sharma Resident of Bhartiya Nagar, Ward
No. 26, P.S- Police Station- Saharsa, Dist- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dipak Kumar, Adv.

For the Opposite Party/s : Mr. Indu Kumari Srivastava, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 15-11-2022 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Kajraili P.S. Case No. 56 of 2022 lodged under Sections
30(a)/32(i)(ii)/36/41 of Bihar Prohibition and Excise
(Amendment) Act, 2018

As per the prosecution case, total recovery of 40.50
litre foreign liquor has been made in this case.

Learned counsel for the petitioner submits that the
said recovery has not been made from the conscious possession
of the petitioner rather the said wine has alleged to be recovered
in one white coloured Omni car. Counsel for the petitioner
submits that the petitioner is a driver of the car and he is

completely unaware that what is loaded in the car. Counsel for the petitioner further submits that petitioner is in custody since 08.08.2022 having one criminal case pending against him in which he is on bail. Counsel for the petitioner submits that he is ready to fulfill all the conditions whatsoever shall be imposed upon him by the Court.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge (Excise) - I, Bhagalpur in connection with Kajraili P.S. Case No. 56 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall

file affidavit before the court about his relationship with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

sadique/-

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