

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15047 of 2023

Arising Out of PS. Case No.-656 Year-2022 Thana- KONCH District- Gaya

CHANDAN KUMAR, aged about 28 years, Male, Son of Arvind Sharma
R/V- Lodipur, P.S.- Konch, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shivendra Prasad, Advocate

For the Opposite Party/s : Mr.Kumar Ranjit Ranjan, App

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 08-05-2023 1. Heard learned counsel for the petitioner and the
learned APP for the State.

2. Petitioner seeks regular bail in connection with
Konch P.S. Case No. 656 of 2022 dated 30.12.2022 registered
for the offence(s) punishable under Section(s) 30(a) of the Bihar
Prohibition and Excise Act.

3. The main submissions advanced by the learned
counsel for the petitioner are that the instant matter relates to
the recovery of 14.130 litres of Indian made English wine and
the same is stated to have been made from out-house of this
petitioner but in actual no recovery of wine, as alleged, was
made and moreover the said outhouse has open shed like
structure and it was very easy to implant some objectionable
materials in the said outhouse and moreover the petitioner has
fair and clean antecedent and he has been languishing in jail



since 31.12.2022. Further submissions are that in the seizure list, neither the house nor the outhouse of the petitioner has been shown as place of recovery and simply petitioner's village has been shown as the place of recovery which also casts a serious doubt on the allegation levelled against the petitioner in the FIR and against the petitioner, investigation has been completed.

4. Learned APP appearing for the State has opposed the bail prayer.

5. Considering the above submissions and mainly the petitioner's fair and clean antecedent, his custody period, the completion of investigation against him as well as other defence taken by him, in the opinion of this Court a lenient approach can be taken in respect of the petitioner's prayer, let the petitioner be released on bail in connection with Konch P.S. Case No. 656 of 2022 on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned.

(Shailendra Singh, J)

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