

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57388 of 2023

Arising Out of PS. Case No.-382 Year-2020 Thana- DAUDNAGAR District- Aurangabad

Subhsh Chandra Bos @ Subhash Chandra @ Ranjan Kumar S/O Shaligram
Singh Resident Of Mohalla- Patel Nagar P.S- Daudnagar, District-
Aurangabad.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bachan Jee Ojha, Advocate

For the Opposite Party/s : Mr.Shyam Bihari Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 26-09-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
26.07.2023 in connection with Daudnagar P.S. Case No. 382 of
2020, F.I.R. dated 29.10.2020 for the offences punishable under
Section 30(a)/34 of the Bihar Prohibition and Excise Act.

3. According to prosecution case, there has been
recovery of 157 liters 500 ML of countrymade liquor from a
bush and also a bike. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has falsely been implicated in the
present case. He further submits that the petitioner is not named
in the F.I.R. and during course of investigation his name has
been transpired in this case only because petitioner is owner of



the seized motorcycle. He further submits that from perusal seizure list that nothing has been recovered from the conscious possession of the petitioner, rather recovery has been made from the bush near the line hotel and petitioner has been implicated in the present case on the ground the motorcycle of the petitioner was found near the place of occurrence and the petitioner is in custody since 26.07.2023.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, 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 the learned Special Judge, Ind, Aurangabad in connection with Daudnagar P.S. Case No. 382 of 2020, subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to



move for cancellation of bail.

iii. 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 step 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.

(Rajesh Kumar Verma, J)

Prakash Narayan

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