

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69309 of 2022**

Arising Out of PS. Case No.-194 Year-2022 Thana- KHAJAULI District- Madhubani

CHANDAN KUMAR @ CHANDAN KUMAR SINGH Son of Raj Kumar Singh @ Raj Kumar Mahto Resident of Behta, Ward No.- 01, P.S.- Khajauli, District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Pandey

For the Opposite Party/s : Mr.Arvind Kumar Pandey(App84)

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER**

2 08-02-2023 Heard the learned counsel for the petitioner and the learned APP for the State.

The petitioner seeks regular bail in connection with Khajauli P.S. Case No. 194 of 2022, registered for the offence punishable under Sections 272/273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition Excise Act.

The allegation is regarding recovery of 450 liters of illicit liquor from a Swift Dezire car and a Bolero car. It is alleged that the petitioner had got down from the Bolero vehicle and fled away.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has



been falsely implicated in the present case, he is having a clean antecedent and he is languishing in custody since 12.10.2022. The learned counsel for the petitioner has submitted by referring to paragraphs no. 8 and 9 of the present petition that the petitioner is neither the owner of the Bolero vehicle nor that of the Swift Dezire car, hence, it is submitted that the petitioner is not having any complicity in the matter.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the fact that the petitioner has categorically stated in the present petition that he is not the owner of the vehicles in question from which the illicit liquor has been seized, apart from the fact that he is having a clean antecedent, I deem it fit and



proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J. II cum Special Judge Excise Act, Madhubani in connection with Khajauli P.S. Case No. 194 of 2022.

(Mohit Kumar Shah, J)

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