

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72670 of 2022

Arising Out of PS. Case No.-71 Year-2022 Thana- KALYANPUR District- Samastipur

CHANDAN KUMAR @ CHANDAN RAY Son of Sukadeo Ray @ Sukhdev
Ray @ Sukdev Ray R/v- Ajna P.S.- Kalyanpur, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mahendra Pratap, Advocate

For the Opposite Party/s : Mr.Sunil Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 10-02-2023 Heard the learned counsel for the
petitioner and the learned A.P.P. for the State.

The petitioner seeks regular bail in connection with kalyanpur P.S. Case No. 71 of 2022 (Excise G.R. No. 184 of 2022) registered for the offences punishable under Section 414 of the Indian Penal Code and Section 30(a) of Bihar Prohibition and Excise (Amendment) Act and Sections 25(1-b) a/26 of the Arms Act.

The allegation is regarding recovery of nine litres of illicit foreign liquor from a sack loaded on a motorcycle which is stated to have been left by the petitioner at the place of occurrence, upon



having seen the police and then the petitioner is alleged to have fled away.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is languishing in custody since 26.04.2022. The learned counsel for the petitioner has further submitted that though the petitioner is an accused in four other cases but he is on bail in the said cases. The learned counsel for the petitioner has also submitted, by referring to paragraph no. 8 of the present petition, that neither the petitioner is the driver of the said motorcycle nor the motorcycle belongs to him nor he is having any complicity in the matter.

Per contra, the learned A.P.P. 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 period



of incarceration of the petitioner herein, I deem it fit and proper to admit the petitioner to the privilege of bail.

Accordingly, the petitioner, above named, is directed to 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 learned Special Excise Court-1, Samastipur in connection with Kalyanpur P.S. Case No. 71 of 2022 (Excise G.R. No. 184 of 2022).

(Mohit Kumar Shah, J)

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