

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2201 of 2023

Arising Out of PS. Case No.-283 Year-2021 Thana- KARAHGAR District- Rohtas

Munna Kahar @ Munna Chandravanshi, S/o Devbansh Kahar, R/o village-
Ghordihan, P.S.- Kargahar, Distt- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Sinha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 19-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Kargahar P.S. Case No. 283 of 2021 registered for the alleged offences under Section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2018.

3. As per prosecution case, during checking of vehicles police received secret information about smuggling of illicit liquor. A car was intercepted and its driver was apprehended when he tried to flee away from the spot. From checking of the said vehicle, recovery of 82.400 litres of country made liquor and 7.920 litres of India made foreign liquor were made. The apprehended co-accused persons disclosed the name of the petitioner who was the intended recipient of the liquor.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Nothing incriminating has been recovered from the conscious possession of this petitioner. The petitioner is neither the owner of the vehicle nor he has any concern with the alleged occurrence. From the FIR, it is evident that the vehicle in question belongs to other co-accused persons who were bringing the illicit liquor. Petitioner is in custody since 02.02.2022 and charge-sheet has been submitted.

5. Learned APP opposes the prayer for bail submitting that the petitioner has got a large number of cases of similar nature in his criminal antecedent. At this stage, learned counsel for the petitioner submits that except for one, the petitioner is on bail in all the other cases.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that no recovery has been shown from the petitioner and further considering his period of custody and submission of charge-sheet against him, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Court No.1,



Rohtas at Sasaram in connection with Kargahar P.S. Case No. 283 of 2021, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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