

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4510 of 2024

Arising Out of PS. Case No.-919 Year-2023 Thana- DIGHA District- Patna

Chandan Kumar, S/O Shatrughan Prasad, Resident of Kauriya Mathiya, P.S.
Bhagwanpur, Dist. Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akhauri Sahay, Advocate

For the Opposite Party/s : Mr. Khurshid Anwar, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 07-02-2024 Heard Mr. Akhauri Sahay, learned counsel appearing
on behalf of the petitioner and the learned APP for the State.

2. The petitioner is apprehending his arrest in connection with Digha P.S. Case No. 919 of 2023 registered for the offences under Sections 30(a) and 41(i) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

3. On a confidential information that some police personnel are indulged in keeping illicit foreign liquor in their residential complex, a raid has been conducted and from a box, 1.875 litres of Indian made foreign liquor was recovered.

4. It is submitted on behalf of the petitioner that the petitioner is posted as police-cum-driver in fire-fighting department at Digha police station and on the alleged date of occurrence, he was not present and the recovery has been made



from a box kept in the dormitory. Moreover, the petitioner has no concern with the alleged box, from which the illicit liquor was recovered. He next submitted that in absence of recovery of any belongings of the petitioner, the allegation of ownership of the said box is highly doubtful. He further contended that the petitioner is a man of fair antecedent and he undertakes that he will fully cooperate in the investigation or abide by the decision taken by the authorities of the department.

5. On the other hand, learned APP for the State opposes the bail application.

Regard being had to the submissions made on behalf of the parties and considering the fact that the alleged recovery has been made from a box, which was kept in a dormitory, apart from the fact that the petitioner is a public servant, having fair antecedent, let the petitioner, named above, in the event of his arrest or surrender before the court below within four weeks from the date of receipt/production of a copy of this order, be released 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 Special Judge, Excise-II, Patna in connection with Digha P.S. Case No. 919 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. with



the further condition that one of the bailors shall be the
own/close relative of the petitioner.

(Harish Kumar, J)

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