

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9825 of 2024

Arising Out of PS. Case No.-381 Year-2023 Thana- CHENARI District- Rohtas

Chandan Kumar S/o Kesho Prasad R/o Vill - Jayshree, P.S. - Karakat, Distt -
Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Vikash Kumar, Advocate
For the State : Mr. Shyam Bihari Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 20-02-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Chenari P.S. Case No. 381 of 2023 instituted for the offence
under Section 30(a) of the Bihar Prohibition and Excise Act,
2016.

3. As per prosecution case, there is recovery of total
833.8 liters of illicit foreign liquor from truck.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 18-11-2023. Petitioner is
stated to be man of clean antecedent.

5. It has been further submitted by the petitioner's
counsel that petitioner has been falsely implicated in the present



case. Petitioner has no concern with the alleged recovered liquor. Petitioner is cleaner of the vehicle in question. There is no compliance of Section 100 of the Code of Criminal Procedure, 1973. Other co-accused have been allowed bail by a Co-ordinate Bench of this Court *vide* order dated 15-02-2024 & order dated 13-02-2024 passed in Cr. Misc. No. 7697 of 2024 & Cr. Misc. No. 6874 of 2024, respectively.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, clean antecedent of the petitioner, claim based on parity and manner of implication, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Chenari P.S. Case No. 381 of 2023.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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