

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18800 of 2024

Arising Out of PS. Case No.-528 Year-2023 Thana- BARHARA District- Bhojpur

CHANDAN KUMAR SON OF TUNTUN RAJBHAR R/O-BAHADURPUR,
P.S.-FEFNA, DISTT.-BALIA (U.P.)

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amarrendra Kumar

For the Opposite Party/s : Mr.Md. Shakir Ahmad

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 19-04-2024 Heard learned counsel for the petitioner and
learned A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Barahara (Khwaspur O.P.) P.S. Case No. 528 of 2023 dated 01.09.2023 registered for the offences punishable u/ss 30 (a), 32, 36(i), 41(i)(ii) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 657.360 litres of illicit foreign liquor was recovered from the tractor.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The name of the petitioner has transpired in this case merely on suspicion. The petitioner is not the owner of the said



vehicle. The petitioner is only the driver of the said vehicle but he had no knowledge of the materials loaded on the said vehicle. Nothing has been recovered from the conscious possession of the petitioner hence, no case is made out. The petitioner has no concern with the alleged recovery. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 02.09.2023.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Bhojpur at Ara in connection with Barahara(Khwaspur O.P.) P.S. Case No. 528 of 2023.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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