

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17658 of 2024

Arising Out of PS. Case No.-208 Year-2021 Thana- RAJAPAKAR District- Vaishali

Chunnu Kumar @ Baba Son of Bachcha Prasad R/O Vill.- Sahdullahpur, P.S.-
Ganga Bridge, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anish Kumar, Advocate

For the Opposite Party/s : Mr. Rajendra Prasad Nat, APP

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

ORAL ORDER

2 11-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Rajapakar P.S. Case No.
208 of 2021, instituted for the offences punishable under
Sections 414, 34 of the Indian Penal Code, Sections 30(a), 36
and 41(i) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 4605.84
liters liquor was recovered from different vehicles.

4. Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in the present case. No
incriminating material has been recovered from the conscious
possession of the petitioner. The petitioner has got no concern
with the alleged recovery of liquor. It is further submitted that
petitioner was not arrested on spot and is also neither owner nor



driver of any of the seized vehicles. The petitioner is in custody since 07.02.2024 and has got eight criminal antecedents. There is no compliance of Section 100 of Cr.P.C.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner 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 Court below/concerned Court in connection with Rajapakar P.S. Case No. 208 of 2021, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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