

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39181 of 2024

Arising Out of PS. Case No.-55 Year-2024 Thana- CHAKIA District- East Champaran

Sandeep Kumar son of Chikaru Sahani Village- Paithaniya Ps- Chakia Dist-
East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar

For the Opposite Party/s : Mr.Nagendra Prasad

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 29-05-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Chakia P.S. Case No. 55 of 2024 lodged on 19.02.2024 under
Section 272, 273, 414 of the Indian Penal Code and 30(a) of the
Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, F.I.R. has been lodged
against the present petitioner from whom there is recovery of 80
Litre of illicit liquor from the petitioner's motorcycle.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Counsel
also submits that motorcycle does not belong to the petitioner
and under wrong impression he was using the said motorcycle
and in the meantime, police has apprehended him. Counsel



further submits that the criminal antecedent of the petitioner is not clean and there is one case pending against him in which he is on bail. The petitioner is in custody since 19.02.2024.

5. Learned APP for the State opposes the prayer for bail and submits that the antecedent of the petitioner is not clen.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named by granted bail *after framing of charge, if the charge is not framed yet* and on furnishing bail bonds of Rs. 30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of Exclusive Special Excise Court No. 3, East Champaran, Motihari in connection with Chakia P.S. Case No. 55 of 2024 subject to the condition laid down under Section 437(3) of the Cr.P.C.

7. However, the petitioner shall be granted bail only on being satisfied by the Trial Court that the petitioner is not absconding in Chakia P.S. Case No. 202 of 2022 pending against him.

(Dr. Anshuman, J)

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