

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43203 of 2024

Arising Out of PS. Case No.-88 Year-2024 Thana- KAMTAUL District- Darbhanga

Chandan Kumar Das @ Mahadev Das @ Chandan Kumar Son Of Karan Das
Village- Harichanda, P.S.- Bishanpur, Distt.- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
For the Petitioner/s : Mr. Sunil Kumar, Adv.
For the Opposite Party/s : Dr. Kumar Uday Pratap, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 20-07-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Kamtaul P.S. Case No. 88 of 2024 dated 02.04.2024, lodged
under Section 30(a) of the Bihar Prohibition and Excise Act,
2016.

3. As per the prosecution case, the F.I.R. has been
lodged against three named accused persons including the
present petitioner. The total recovery of 150 litre of illicit liquor
has been made, which is the subject matter of the present case.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He further
submits that the petitioner is neither owner nor driver of the car
from which the recovery of wine has been made. He further
submits that the petitioner was sitting on the car due to which he
has been arrested. He further submits that the petitioner is in

custody since 03.04.2024 having one criminal antecedent of similar nature, in which he is on bail. He further submits that the co-accused Kaushal Yadav has been granted bail by this Court vide order dated 27.05.2024 passed in Cr. Misc. No. 38917 of 2024.

5. Learned A.P.P. for the State opposes the prayer for bail.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail **(only after framing of charge, if not framed)** on furnishing bail bonds of Rs. 30,000/- (Rupees Thirty Thousand Only) with two sureties of the like amount each to the satisfaction of learned Special Judge-Ist, Excise Act, Darbhanga in connection with Kamtaul P.S. Case No. 88 of 2024, subject to the conditions as laid down under Section 437(3) of Cr.P.C.

7. It is made clear that the Trial Court shall accept the bail bond of the petitioner on being satisfied that he is not absconding in a case pending against him.

8. With this observation, the bail application stands allowed.

(Dr. Anshuman, J)

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