

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46243 of 2024

Arising Out of PS. Case No.-217 Year-2023 Thana- TEGHRHA District- Begusarai

CHANDAN KUMAR S/O POLICE YADAV R/O VILLAGE-
BABUSTHAN, PIPRA DEVAS, P.S- BARAUNI, DISTT.- BEGUSARAI.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : None.

For the Opposite Party/s : Mr.Surendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 24-07-2024 No one appears on behalf of the petitioner though
the State is present.

2. The petitioner is apprehending arrest in connection
with Teghra P.S. Case No. 217 of 2023 instituted under
Section 30(a) of Bihar Prohibition and Excise Act lodged on
12.07.2023 by the informant, Rameshwar Prasad Yadav.

3. As per the prosecution story, upon secret
information, went near the pond of Babloo Yadav and
recovered/seized 22 liters of Chulai. Accordingly, the FIR.

4. As per the petition, the alleged recovery is from an
open place but due to local politics, the petitioner has been
named who do not have criminal antecedent.

5. Learned APP opposes the prayer submitting that his
name has cropped in the FIR.



6. Considering the fact that the recovery/seizure is an open place coupled with the fact that he do not have criminal antecedent, this Court is inclined to extend him the privilege of anticipatory bail.

7. Let the petitioner be released on bail, in the event of his arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each in connection with Teghra P.S. Case No. 217 of 2023 to the satisfaction of learned Exclusive Special Excise Judge-I, Begusarai subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;



(iii) the petitioner shall co-operate in the investigation and make himself available to the police as and when required;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

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