

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80815 of 2024

Arising Out of PS. Case No.-69 Year-2024 Thana- Pura police station District- Gaya

Chandan Kumar, S/O- Umesh Prasad Yadav @ Umesh Yadav, Village-
Gulariya Chak, PS- Mau Dist-Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramakant Singh, Advocate

For the Opposite Party/s : Mr.Pronoti Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 25-11-2024 Heard Ms. Swati Parmar, learned counsel for the
petitioner and Mrs. Pronoti Singh , learned APP for the State.

2. The petitioner is in custody in connection with Pura
P.S. Case No. 69 of 2024 for the offence under Section 30(a) of
the Bihar Prohibition and Excise Act, 2018 lodged on
07.10.2024 by the informant, Ranjan Kumar.

3. As per the prosecution story, the informant alleged
that on information, the pick-up van/motorcycle were
intercepted and there is recovery/seizure of 346.5 liters foreign
liquor. The person arrested on the motorcycle, Yogendra Yadav,
confessed to the crime and further disclosed that 15 cartoons are
yet to be supplied to the petitioner. Accordingly, his name has
come up.

4. Learned counsel for the petitioner submits that a



perusal of the F.I.R. shows that the actual recovery is from Yogendra Yadav and only because he made a confession before the police that some of the recovered/seized liquor were to be supplied to the petitioner, he has been implicated. He has remained in custody since 08.10.2024 and if granted bail, shall be diligently appear in the trial.

5. Learned APP opposes the prayer for bail submitting that he has criminal antecedent.

6. Taking into account the submission put forwarded by the parties as also the fact that the actual recovery/seizure is from Yogendra Yadav, on his confession, the name of petitioner came and he is in custody since 08.10.2024, this Court is inclined to extend him the privilege of bail with conditions.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Exclusive Excise Court No.2, Gaya, in connection with Pura P.S. Case No. 69 of 2024 subject to the following conditions:

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

(ii) the petitioner shall appear on each and every date



before the Trial Court and the 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;

(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 bail bond.

(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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