

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82851 of 2024

Arising Out of PS. Case No.-110 Year-2022 Thana- KOPA District- Saran

Chandan Singh @ Chandan Kumar Singh, Son of Sukhdeo Singh, Resident of
Village-Bishunpura Kala, P.S.- Ekma, Distt.- Saran at Chapra

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 06-12-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The accused/petitioner is named in the FIR and apprehending his arrest in connection with Kopa P.S. Case No.110 of 2022 registered for the offences punishable under Sections 30 and 30(a) of the Bihar Prohibition and Excise Act.

3. Allegation against the petitioner is to engage in illegal trade/manufacturing of illicit liquor, where there is recovery of 200 liters of IMFL/country-made liquor

4. It is submitted by learned counsel that out of friendship and social acquaintance, the petitioner provided his car bearing Registration No.DL4CAG-1934 to co-accused Binod Kumar Singh for his family work but, unfortunately it



was used by him for carrying illicit liquor, which was not in the knowledge of this petitioner. It is submitted that nothing surfaced during the course of investigation, which may suggest that petitioner being owner was under knowledge for carrying aforesaid consignment of illicit liquor and, therefore, it can be said safely that the recovery of illicit liquor was not made from his conscious physical possession. While concluding argument, it is submitted that the petitioner is a man of clean antecedent.

5. Learned APP opposes the prayer for grant of anticipatory bail to the petitioner.

6. In view of aforesaid submissions and by taking note of fact as implication of petitioner appears *prima facie* only being owner of the car, where admittedly recovery of illicit liquor was not made from physical possession of the petitioner, who is a man of clean antecedent accordingly, the petitioner, above-named, is directed to be released on bail, in the event of his arrest or surrender in the court below within a period of four weeks, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount



each to the satisfaction of the learned 3rd Exclusive Special
Excise Judge, Saran at Chapra in connection with Kopa P.S.
Case No.110 of 2022, subject to the conditions as laid down
under Section 438(2) of the CrPC/under Section 482(2) of
the BNSS and with further conditions:-

(i) That petitioner shall not involve in
similar nature of case till the conclusion of
trial, failing which the State shall be at liberty
to move before the Trial Court itself for the
cancellation of bail bond of the petitioner.

(ii) That petitioner shall co-operate
in the trial and shall be physically present on
each and every date before the Trial Court till
conclusion of the trial and exemption from
physical appearance be allowed by the Trial
Court only on medical ground of the petitioner
duly supported by the documents.

(Chandra Shekhar Jha, J.)

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