

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85941 of 2024

Arising Out of PS. Case No.-51 Year-2024 Thana- NTPC KHAIRA District- Aurangabad

Chandan Kumar Singh Son of Sanjay Singh Resident of Village- Ghuja, P.S.
N.T.P.C. Khaira, Distt.- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar Pandey, Adv

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

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

2 13-12-2024 Heard learned counsel for the petitioner and learned
A.P.P., for the State.

2. The petitioner is apprehending his arrest in connection with N.T.P.C., Khaira P.S. Case No. 51 of 2024 for the offence U/s 30 (a) of the Bihar Prohibition and Excise Act, 2016.

3. It is a case of recovery of total 144 litres of illicit country made liquor from the room which was situated at the western side of the Grik Fly Ash Brick and Faver Block.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner has no concern with the said recovery. The name of the petitioner has transpired in this case merely on the basis of being a *Munsi* of the said plant from which the



liquor has been recovered. It is further submitted that the recovery has been made from Faver Block Plant which is open place and accessible to anyone. No incriminating article has been recovered from the conscious possession of the petitioner. The petitioner has no criminal antecedent as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Keeping in view of the aforesaid facts, this Court is inclined to extend him the privilege of anticipatory bail.

7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of like amount each to the satisfaction of learned Special Judge Excise, Court No. -II, Aurangabad (Bihar) in connection with N.T.P.C., Khaira P.S. Case No. 51 of 2024 subject to the conditions as laid down under Section 438(2) of the Cr. P.C., as also with the following conditions:-

(i) One of the bailors should be close relative of the petitioner.

(ii) Petitioner shall co-operate in the trial and shall be



present on each and every fixed date and on his absence on two consecutive dates without sufficient reason, his bail bonds shall be cancelled by the learned trial Court.

(iii) If the petitioner tampers with the evidence or threatens the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(iv) In case, the petitioner repeats offence of similar nature after enlargement on bail, his bail bonds may be cancelled by the learned trial Court.

(S. B. Pd. Singh, J)

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