

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10417 of 2025

Arising Out of PS. Case No.-538 Year-2024 Thana- KHAJEKALA District- Patna

Chandan Kumar Son of Vijay Rai @ Vijay Yadav Resident of Sidhi Ghat,
Hamam par, PS -Khajekalan District -Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Pradhan, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 24-02-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Khajekalan PS Case No. 538 of 2024 instituted for the offences
under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 84 litres
of country made liquor was recovered from behind the park.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from
the conscious possession of the petitioner. The petitioner has got
no concern with the alleged recovery of liquor. It is submitted
that recovery is made from an open place, which is accessible to
one and all. It is further submitted that the name of the petitioner



has transpired on secret information. The petitioner is in custody since 22.01.2025 and has got three criminal antecedents, the petitioner is on bail on Sl. No. 1 and 3 and he is acquitted in Sl. No. 2 as mentioned in para 3. There is no compliance of Section 103 of B.N.S.S.

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

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Khajekalan PS Case No. 538 of 2024.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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