

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32787 of 2025

Arising Out of PS. Case No.-8 Year-2025 Thana- MAHUAWA District- East Champaran

Chandra Bhushan Kumar @ Chaith, S/o Madhav Prasad Yadav, Resident of village- Dharhari, PS- Chhauradano, Dist- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mrs. Namita Sharma, Advocate
		Mr. Anshu Dhar Sharma, Advocate
For the Opposite Party/s:		Mrs. Meena Singh, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 22-05-2025 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the state.

2. The petitioner seeks bail in connection with Mahuawa P.S. Case No. 08 of 2025 instituted for the offences under Section 30(a) of the Bihar Prohibition and Excise Act. He has one criminal antecedent.

3. As per the prosecution case, the informant, during night patrolling, saw a high speed vehicle was coming from Nepal which was stopped and the person, who tried to flee was chased and subsequently he was apprehended, disclosed his name as Chandra Bhusan Kumar @ Chaith and on search total 81 litres of illicit Nepali Kasturi liquor was recovered from the sack which was being carried on the motorcycle.



4. It is submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in this case and no such seizure as alleged has been made from the petitioner. Learned counsel for the petitioner has further submitted that the police merely because he is accused in one criminal case of similar nature has implicated the petitioner in this case and he has no concern whatsoever with the trade of liquor. It is lastly submitted that the petitioner is in custody since 20.01.2025. Learned counsel for the petitioner undertakes to deposit a sum of Rs. 5,000/- before the Patna High Court Legal Services Committee.

5. Learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner and has submitted that 81 litres of Nepali Kasturi liquor has been recovered from the conscious possession of the petitioner.

6. Considering the aforesaid submissions of learned counsel as well as undertaking given by the petitioner and taking into account the fact that the petitioner is in custody since 20.01.2025, the petitioner above named, is directed to be released on bail on depositing a sum of Rs. 5,000/- (Five Thousand) before the Patna High Court Legal Services Committee and a receipt of the same shall be furnished before the learned



court below at the the time of furnishing bail bond. Thereafter, he shall furnish bail-bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise-II, East Champaran in connection with Mahuawa P.S. Case No. 08 of 2025, subject to the the following conditions:-

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

(ii) The petitioner will remain present on each and every date fixed by the Court below, if so required by the learned Trial Court.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be canceled by the Court concerned.

(iv) And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner.



However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of the same or in the name of verification.

(Sourendra Pandey, J)

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