

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32868 of 2025

Arising Out of PS. Case No.-174 Year-2024 Thana- CHHAURADANO District- East Cham-
paran

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Chandra Bhushan Rai @ Chandrabhushan kumar S/o Madav Rai @ Madho
Prasad Yadav Resident of Village- Dharhari, PS- Chhauradano, Distt- East
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

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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 Excise
(Motihari) P.S. Case No. 2170 of 2023 arising out of Chhau-
radano P.S. Case No. 174 of 2024 instituted for the offences un-
der Sections 30(a) of the Bihar Prohibition and Excise Act,
2016. He has one criminal antecedent.

3. As per the prosecution the informant received a se-
cret information of Scorpio being parked in suspicious condition
and despite search nobody claimed ownership of Scorpio and on
search total 184 litres of illicit liquor was recovered from the ve-
hicle. It is further alleged that on inquiry the registered owner of
the vehicle was found to be of one Chandra Bhusan Rai @



Chandrabhushan Kumar (Petitioner).

4. It is submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in this case merely because he happens to be the owner of the Scorpio in which the said recovery was made. It is further submitted that no recovery has been made from the conscious physical possession of the petitioner or from his house, therefore, there is no complicity of the petitioner in the present case. It is lastly submitted that the petitioner is in custody since 11.03.2025 and he has been remanded in the present case from another case. Learned counsel for the petitioner undertakes to deposit a sum of Rs. 20,000/- 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 the petitioner was the owner of the said vehicle from which huge quantity of foreign liquor was recovered.

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 was the owner of the seized vehicle and he is in custody since 11.03.2025, the petitioner above named, is directed to be released on bail on depositing a sum of Rs. 20,000/- (Twenty 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 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 Excise (Motihari) P.S. Case No. 2170 of 2023 arising out of Chhauradano P.S. Case No. 174 of 2024, subject to 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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