

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.42694 of 2016**

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Chandan Choudhary @ Chandan Kumar Choudhary son of late Bindeshwari Choudhary resident of village - Makduma, P.S. Banka, District Banka.

.... .... Petitioner

Versus

The State of Bihar.

.... .... Opposite Party

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**Appearance :**

For the Petitioner/s : Mr. Brij Nandad Prasad

For the Opposite Party/s : Mr. Binod Kumar 2

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**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA**  
**ORAL ORDER**

3      15-12-2016                      Heard learned counsel for the petitioner as well as learned Additional Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with Amarpur P.S. Case No. 334 of 2016 registered for the offences punishable under Section 47(a) (c) (e) of the Excise Act.

Neither petitioner was caught on the spot nor anything was recovered from his conscious possession. The name of petitioner was disclosed by the seizure list witnesses.

Submission on behalf of the petitioner is that earlier petitioner was made accused in Banka P.S. Case No. 321 of 2016 and as a matter of fact, police implicated the petitioner in this case only on the basis of suspicion.

Considering the aforesaid facts and circumstances



as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that petitioner, in the event of his arrest/ surrender within four weeks from the date of receipt of this order to the court concerned, shall 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 the Chief Judicial Magistrate, Banka in Amarpur P.S. Case No. 334 of 2016 subject to conditions as laid down under Section 438(2) of the Cr.P.C.

**(Hemant Kumar Srivastava, J)**

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