

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.13214 of 2018**

Arising Out of PS. Case No.-93 Year-2017 Thana- HAZIPUR INDUSTRIAL District-  
Vaishali

=====

Chandan Kumar @ Chhotu S/o Maheshwar Rai, R/o Village- Karnpura,  
Nawada Khurd, P.S.- Ganga Bridge, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Mukesh Kumar

For the Opposite Party/s : Mr. SURESH PRASAD SINGH

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      13-03-2018                      Heard learned counsel for the petitioner and learned  
APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections 467, 468, 469, 471, 414 of the Indian Penal Code and Sections 30 and 37 of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 720 liters wine is recovered.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. From perusal of the F.I.R., it is evident that no offence is made out as far as Sections 467, 468, 469, 471 and



414 of the Indian Penal Code is concerned. The name of the petitioner has transpired in the present case on the basis of disclosure made by co-accuseds Prashant Kumar and Sudama Yadav. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 720 liters wine is recovered from the pick up van. The pick up van in question does not belong to the petitioner. Nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner had no knowledge regarding the alleged incident. There is no compliance of Section 100 Cr.P.C. Other co-accused has been granted anticipatory bail vide order Annexure-2

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge, Excise Act, Vaishali at Hajipur in connection with Industrial Area P.S. Case No. 93 of



2017, subject to the conditions as laid down under Section  
438(2) of the Code of Criminal Procedure.

**(Sudhir Singh, J)**

Pankaj/-

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