

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5997 of 2019

Arising Out of PS. Case No.-315 Year-2018 Thana- MAGADH MEDICAL COLLEGE
District- Gaya

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CHANDAN KUMAR @ CHANDAN KUMAR VERMA Birendra Prasad
Resident of Village-Gajipur, P.S.-Magadh Medical, District-gaya

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Prithivi Raj Singh
For the Opposite Party/s : Mr.Syed Ehteshamuddin

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 04-02-2019 Heard learned counsels for the parties.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 30(a),30(d) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case as per the written report of ASI Shailendra Kumar Pandey submitted to the SHO, Magadh Medical Police Station is to the effect that on 18.12.2018 during patrolling, two persons were found in suspicious condition but on the arrival of the police, they started fleeing away, one of whom was apprehended but the other managed to escape. It is alleged that 3 litres Mahua liquor was recovered from the persons apprehended, namely, co-accused Ajit Kumar and the petitioner was named by him as the persons who escaped.



It is submitted by learned counsel for the petitioner that there is no recovery from the petitioner. Statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that the petitioner was found escaping from the place of seizure.

Considering the fact that accusation does not suggest recovery from the petitioner coupled with the statement made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent, let the petitioner above named be released on anticipatory bail in the event of arrest or surrender within 12 weeks on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge (Excise), Gaya in connection with Magadh Medical P.S. Case No.315 of 2018 subject to the conditions laid down in Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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