

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80134 of 2019

Arising Out of PS. Case No.-1259 Year-2019 Thana- AHIYAPUR District- Muzaffarpur

CHANDAN PASWAN @ CHANDAN KUMAR S/o Harun Pawan Resident
of Village- Purani Motihari Marg, Kolhua, Paigambarpur, P.S.- Ahiyapur,
District- Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Raju Kumar Goshwami Mr. P.M.M. Pd.
For the Opposite Party/s	:	Mr.Kalyan Shankar

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 06-12-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Ahiyapur P.S. Case no. 1259 of 2019, registered under
Sections 272 and 273 of the Indian Penal Code and Section
30(a), 36, 38 of the Bihar Prohibition & Excise Act, 2016.

The accusation is that on receiving secret
information about unloading of the cartons of the liquor at
Parash Chowk, the informant along with other Police personnel
reached there. On seeing the Police party, two persons started
fleeing while they were chased, but taking advantage of
darkness, they succeeded to flee away. On search, 206 bottles,
each containing 180 ML and 3 bottles, each containing 750 ML



Indian made foreign liquor recovered. The persons present there, on inquiry, disclosed the name of two persons, who succeeded to flee away as Kunal Kumar and Chandan Paswan (Petitioner).

Learned counsel for the petitioner submits that petitioner was not apprehended on the spot rather the name of petitioner and Kunal Kumar were disclosed by the pedestrian present on the spot, but the name of pedestrian has not been disclosed in the F.I.R. The petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Special Judge, Excise Muzaffarpur in connection with Ahiyapur P.S. Case No. 1259 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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