

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18446 of 2020

Arising Out of PS. Case No.-527 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Samastipur

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Chandan Kumar Son of Lal Bahadur Singh Resident of Village- Lohargir,
P.S.- Ujiyarpur, Dist.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rakesh Kumar, Adv.

For the Opposite Party/s : Mr.Ram Anurag Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 12-06-2020 Heard learned counsel for the petitioner and learned A.P.P
for the State, through video conferencing.

The instant application for anticipatory bail has been filed
by the petitioner apprehending his arrest in connection with
Excise Case no. 527 of 2019 registered under section 30(a) of
the Bihar Prohibition and Excise Act, 2016.

As per allegation in the prosecution report, secret
information having been received, a raid was conducted and
31.5 litres of IMFL is stated to have been recovered from the
Veranda of the house of the petitioner.

It is submitted by learned counsel for the petitioner that
the allegation of recovery is absolutely false and concocted. The
place of recovery, from its very description cannot be said to be



under the exclusive control of the petitioner. The petitioner is a poor labourer who lives far away from his house to earn his livelihood. He has no criminal antecedent.

The application for bail is opposed by learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case including the petitioner not having any criminal antecedent, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of eight weeks from today and in the event of his arrest or surrender in connection with Excise Case no. 527 of 2019, he will be enlarged on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-II-cum-Special Judge (Excise), Samastipur subject to the conditions as laid down in section 438(2) of the Cr.P.C.

(Partha Sarthy, J)

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