

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25084 of 2020**

Arising Out of PS. Case No.-324 Year-2019 Thana- HUSSAINGANJ District- Siwan

CHANDAN KUMAR PRASAD @ CHANDAN KALWAR Son of Lalan Sah
Resident of Village - Gopalpur, P.S.- Hussainganj, District - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prabhakar Singh

For the Opposite Party/s : Mr.A.G

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 14-10-2020 Heard learned counsel for the petitioner and the

State through Video Conferencing.

Petitioner apprehends arrest in a case registered for
the offence punishable under Sections 304(B)/34 of the Indian
Penal Code.

The prosecution case in brief is that on 17.11.2019 the
informant proceeded for patrolling along with armed forces and
received informant about illegal sale of wine by Sandeep
Chaudhary with his associate in his house. On reaching the said
house they saw two persons in a white Scorpio. The two persons
tried to flee but has been caught. Upon search, 345 liters of
IMFL has been recovered from the said vehicle. The two
persons disclosed that they purchased the wine from the house



of Sandeep Chaudhary. Thereafter, informant searched the house, three persons tried to flee but have been caught who disclosed their names as Suraj Kumar, Raj Kumar and Hiralal and 132 liters and 120 ml IMFL has been recovered from the said house of Sandeep Chaudhary. On enquiry, Suraj Kumar disclosed that his brother Sandeep Chaudhary used to sell wine along with Kranti Yadav and Chandan Kalwar.

It is submitted on behalf of the petitioner that petitioner is innocent and has committed no offence. Petitioner has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. Petitioner's name has been figured in the case on the confessional statement of co-accused. In paragraph 3 of the bail petition, learned counsel for the petitioner has stated that the petitioner has got no criminal history.

In the facts and circumstances of the case, prayer for bail of the petitioner is allowed. In the event of arrest/surrender, let the petitioner mentioned above be enlarged on bail on furnishing bail bond 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, Siwan in Hussainganj P.S. Case No. 324/19, subject to the conditions



laid down under Section 438(2) of the Code of Criminal
Procedure.

(Prabhat Kumar Singh, J)

Ankit/-

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