

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83806 of 2019

Arising Out of PS. Case No.-36 Year-2019 Thana- BEGUSARAI MUFFASIL District-
Begusarai

=====

Chandrashekhar Chaurasiya @ Chandrashekhar, Son of Rajaram Chaurasiya
Resident of Village-Baghi, Suhirdnagar ward no.25, P.S.-Town, District-
Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam, Advocate

For the Opposite Party/s : Mr. Uma Shankar Pd. Singh, APP

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 18-02-2020 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 414, 290 of the Indian Penal Code and Section 30(a) of Bihar Prohibition and Excise Act, 2016.

The prosecution case, as per self statement of Manish Kumar Singh, S.H.O. of Singhaul O.P. recorded on 22.01.2019 at 3.30 A.M., is to the effect that on 21.01.2019 at 10.15 P.M. during patrolling, he along with other police personnel entered into the campus of Gauri Shankar Chaudhary and from there two persons were apprehended, who disclosed their name as Md. Imran and Sanjeet Poddar and others managed to escape



from the scene. Altogether 1175.82 litres of Indian Made Foreign Liquor were recovered. The apprehended co-accused persons named other persons including the petitioner.

It is submitted by learned counsel for the petitioner that Kanhaiya Kumar, Sudhanshu Kumar, Priyansu Kumar and Himanshu Kumar, who named by the apprehended co-accused persons, have been granted anticipatory bail by a Co-ordinate bench of this Court vide order dated 13.05.2019, passed in Cr. Misc. No. 31366 of 2019 and recovery cannot be treated from the conscious physical possession of the petitioner. A 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 managed to escape from the place of seizure.

Considering the fact that the seizure has been made from the premises of Gauri Shankar Chaudhary and similarly situated co-accused persons have been granted anticipatory bail by Co-ordinate Bench of this Court, coupled with the statement made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of



twelve weeks from today, 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, Begusarai in connection with Muffasil P.S. Case No. 36 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

DKS/-

U		T	
---	--	---	--

