

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10260 of 2022

Arising Out of PS. Case No.-78 Year-2021 Thana- MALAYPUR District- Jamui

Chandan Kumar @ Chandan Yadav, S/O Sakaldev Yadav R/O Village Kunder, Po- Gopalpur, P.S. - Chanan, District - Lakhisarai, State- Bihar -811310.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Nirmala Kumari

For the Opposite Party/s : Mr. Ramesh Chandra

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 08-07-2022 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner seeks bail in anticipation of his arrest in a case registered for the offences punishable under Sections 272, 273, 279 and 34 of the Indian Penal Code and Sections 30(a) and 41(1) of the Excise Act, 2018.

The learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and the allegation is of recovery of 95.250 litre of liquor from a white car.

The learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case. He was not arrested from the spot, as such, nothing was recovered from his conscious possession. It is next submitted that



petitioner is neither the owner, nor the driver of the vehicle and his name transpired in the confessional statement of co-accused Mantu Kumar, who is alleged to be the driver of the car which has no evidentiary value.

The learned Additional Public Prosecutor opposes the anticipatory bail application.

Considering the submissions made by the learned counsel for the petitioner and the fact that petitioner is a person with clean antecedent, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 3,000/- (Rupees Three Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Malaypur P. S. Case No.78 of 2021, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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