

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26586 of 2022

Arising Out of PS. Case No.-329 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Patna

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KANHAI CHAUHAN S/o Late Jit lal Chauhan R/o village- Govind Pur, P.S.-
Phulwari Sharif, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rudra Deo, Advocate

For the Opposite Party/s : Mr. Braj Kishore Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 02-11-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 30(a), 32(1), 41(1), 41(2) and 30(C) of the Bihar Excise Act.

Learned counsel for the petitioner submits that the petitioner has antecedent of four cases and allegation is of recovery of 90 litres of liquor from a gallon and 4,600 litres of fermented java mahuva which was destroyed on the spot from a brick house.

Learned counsel for the petitioner submits that the petitioner was not apprehended from the spot as such nothing was recovered from his conscious possession, it is also



submitted that petitioner came to be implicated at the instance of witnesses but then the name of the witnesses are not disclosed in the FIR, it is also submitted that petitioner has no concern with the alleged room from where the recovery was made, it is further submitted that police falsely implicated the petitioner because of his antecedent in order to save the real culprits.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 25,000/- (Rupees Twenty-Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Phulwarisharif P.S. Case No. 329 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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