

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28952 of 2022

Arising Out of PS. Case No.-182 Year-2021 Thana- CHACKMEHSI District- Samastipur

CHANDAN KUMAR KESHRI S/o Sitaram Keshri R/o village- Kasbe Aahar,
P.S.- Tajpur, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar

For the Opposite Party/s : Mr. Sanjay Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 13-09-2022 Heard learned counsel for the petitioner and learned APP
for the State.

Learned counsel for the petitioner undertakes to remove the defects within four weeks of resumption of normal court proceedings. In the eventuality of non-removal of defects within stipulated period, office will place the matter before the Bench.

The petitioner apprehends his arrest in a case registered for the offence punishable under section 30(a) of Bihar Prohibition and Excise Act, 2018.

Allegedly, 1353 liters of foreign liquor is said to have been recovered from a pick up van. The allegation against the petitioner is that he is the owner of the said vehicle.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He



has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioner is not specific rather general and omnibus in nature. There is no recovery from the conscious possession of the petitioner. The petitioner has been made accused in the present case on the basis of being the owner of the said vehicle. The petitioner had already sold the said vehicle bearing registration no. BR06GC/5377 to Rakesh Kumar for which challan was deposited for transfer of ownership with the D.T.O Muzaffarpur on 18.11.2021 i.e. prior to the date of occurrence dated 09.12.2021 and the name of the owner of the vehicle was changed on 24.06.2022. Petitioner has no criminal antecedent, which is also mentioned in para-3 of the bail application.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court



below where the case is pending/Successor Court in Chakmeshi
P.S. Case No.182 of 2021, subject to the conditions as laid down
under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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