

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30274 of 2022

Arising Out of PS. Case No.-42 Year-2022 Thana- INDUSTRIAL AREA District- Vaishali

NARESH CHHABRA @ NARESH KUMAR CHHAPBRA S/o Sain Das
Chhabra R/o- J 14 Street No. 08 Majhitia Enclave Patiala, P.S.- Pateala,
District- Patiala, Punjab- 147005 Petitioner/s

Versus

THE STATE OF BIHAR Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anirudh Kumar Sinha

For the Opposite Party/s : Mr.Umanath Mishra

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 02-09-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Industrial Area P.S. Case no. 42 of 2022 instituted for the offence under Sections 30(a), 32(i) (ii), 36, 41(i) (ii) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of huge quantity of liquor from a truck and six persons were apprehended who disclosed the name of the petitioner as one of his associates.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has got no criminal antecedent. Petitioner has no concern with the alleged recovery or with the vehicle in question. The name of the petitioner has been disclosed in this



case by the apprehended co-accused persons, before the police, which has no evidentiary value in the eye of law. Neither the petitioner was arrested nor any incriminating article has been recovered from his possession.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Industrial Area P.S. Case no. 42 of 2022, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No.1-Cum-Additional Sessions Judge, Vaishali at Hajipur subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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