

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31289 of 2022**

Arising Out of PS. Case No.-278 Year-2021 Thana- BAISI District- Purnia

CHANDAN KUMAR YADAV Son of Prasadi Yadav Resident of Village -
Mathour @ Mahathour, Ward no. 12, P.S. - Dagarua, District - Purnea.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bipin Kumar, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 25-11-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual Court proceedings.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 272 and 273 of the Indian Penal Code read with Sections 30(a), 41 and 47 of the Bihar Excise Act.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and allegation is of recovery of 9.540 liters liquor from a motorcycle.

Learned counsel for the petitioner submits that petitioner was not apprehended from the spot as such nothing was recovered from his conscious possession and being owner of the alleged motorcycle, he came to be implicated in the



present case, it is next submitted that petitioner was completely unaware that Abhinandan Yadav would misuse his vehicle for carrying such an illegal activity who also in his confessional statement took the name of the petitioner, further it is submitted that no prudent person would use his own vehicle for committing an illegality.

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 Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 1,000/- (Rupees One 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 connection with Baisi P.S. Case No. 278 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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