

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49591 of 2022

Arising Out of PS. Case No.-106 Year-2015 Thana- BARHARIA District- Siwan

CHANDESWAR PANDIT @ CHANDRASHEKHAR @
CHANDRASHEKHAR PANDIT Son of Late Ambika Pandit Resident of
village - Tinbheriya, P.S.- Barharia, Distt. - Siwan. Petitioner/s
Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumari Anupam
For the Opposite Party/s : Mr.Braj Kishore Pd.(App)

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 11-11-2022 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 Barharia P.S. Case no. 106 of 2015 instituted for the
offence under Sections 272, 273, 308/34 of the IPC and Section
47(A) of the Bihar Prohibition of Excise Act.

Prosecution case relates to recovery of 2,360 litres
from the house of Ramayan Choudhary. It is further alleged that
Ramayan Chaudhary and the petitioner both were indulged in
the business of illicit liquor.

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 place of



occurrence. Similarly situated Ramayan Chaudhary has already been granted anticipatory bail vide order dated 20.11.2019 in Cr. Misc. No. 68141 of 2019 by a different co-ordinate Bench. 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 Barhariya P.S. Case no. 106 of 2015, 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 Spl. Excise Court No. 1, Siwan subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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