

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.70086 of 2022**

Arising Out of PS. Case No.-609 Year-2022 Thana- DARBHANGA SADAR District-  
Darbhanga

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CHANDESHWAR SAH @ CHANDRA SHEKHAR KUMAR SAH S/o Late  
Ram Lakhan Sah R/v- Muriya, P.S.- Sadar (Bhalpatti O.P.), District-  
Darbhanga

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Bhaskar Shankar, Advocate  
For the Opposite Party/s : Mr. Mohammed Arif, APP

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**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

2      19-12-2022                      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 Section 30(a) of the  
Bihar Excise Act.

Learned counsel for the petitioner submits that  
petitioner is a person with clean antecedent and allegation is of  
recovery of 207.900 litres liquor from an under-construction  
house of the petitioner out of which 9 litres liquor was  
recovered from a scooty.

Learned counsel for the petitioner submits that  
petitioner was not apprehended from the spot as such nothing  
was recovered from his conscious possession, it is next  
submitted that petitioner is neither the owner nor the driver of



the alleged scooty and the alleged house is a joint family property which is still under-construction and thus the petitioner would not have used his own premises for committing an occurrence and thus create evidence against himself.

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 Sadar (Bhalpatti O.P.) P.S. Case No. 609 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

The learned trial court before accepting the bail bonds of the petitioner shall verify his criminal antecedents and if it is found that the petitioner has antecedent even of a single case, then the present anticipatory bail order shall not be acted upon.

**(Satyavrat Verma, J)**

Rishi/-

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