

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9941 of 2023

Arising Out of PS. Case No.-214 Year-2022 Thana- MANIYARI District- Muzaffarpur

Chandan Kumar @ Chandan Kumar Singh Son Of Nathuni Singh @ Dak
Babu Resident Of Village- Sonbarsa Dih, P.S.- Maniyari, District-
Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar @ S.K., Advocate

For the Opposite Party/s : Mr. Lakshmi Kant Sharma

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 24-04-2023 Heard Mr. Sanjay Kumar@S.K., learned counsel
appearing on behalf of the petitioner and Mr. Lakshmi Kant
Sharma, learned APP appearing on behalf of State.

2. The petitioner apprehends his pre-arrest in
connection with Maniyari P.S. Case No. 214 of 2022 registered
under Sections 30(a) of the Bihar Prohibition and Excise Act,
2016.

3. The prosecution story, in brief, is that 30 litres of
foreign made liquor has been recovered from the place of
occurrence.

4. Learned counsel appearing on behalf of the
petitioner submits that alleged place of occurrence is a public
place and petitioner has no concern with the alleged recovery.



Learned counsel further submits that nothing has been recovered from the conscious possession of the petitioner and he has falsely been implicated in the present case.

5. Learned APP has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the fact that 30 litres of foreign made liquor has been recovered from the public place and nothing has been recovered from the conscious possession of the petitioner, the Court below is directed to release the petitioner on anticipatory bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each, to the satisfaction of learned Special Judge Excise Court No.-II, Muzaffarpur in connection with Maniyari P.S. Case No. 214 of 2022, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Purnendu Singh, J)

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