

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18147 of 2023

Arising Out of PS. Case No.-196 Year-2022 Thana- BETTIAH CITY District- West
Champaran

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CHANDAN SAH S/O LALBABU SAH Resident of Village- Baswaria Pipal
Chowk, Ward No.- 28, P.S.- Bettiah Town, District- West Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prashant Kumar, Advocate

For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 10-05-2023 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 offence punishable under Section 30(a) of the
Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that
petitioner has antecedent of two cases.

Allegation is of recovery of 25.920 litres of liquor
from a motorcycle.

Learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession. It is further submitted
that petitioner is neither the owner nor the driver of the alleged
vehicle and he came to be implicated based on confessional



statement of co-accused Anku Kumar which does not have any evidentiary value in the eye of law. It is next submitted that police in order to save the real culprits falsely implicated the petitioner based on his antecedent.

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.10,000/- (Rupees Ten 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 Bettiah Town P.S. Case No. 196 of 2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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