

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28657 of 2023**

Arising Out of PS. Case No.-307 Year-2022 Thana- SIWAN CITY District- Siwan

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KANHAIYA CHAUHAN @ KANHAIYA KUMAR CHAUHAN SON OF
JIUT CHAUHAN RESIDENT OF NAI BASTI,VILLAGE FATEHPUR, PS
SIWAN , DIST SIWAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar

For the Opposite Party/s : Mr. Rana Randhir Singh

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

2 18-05-2023 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 offences punishable under Section 30(a) 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 liters of liquor from a Scooty.

Learned counsel for the petitioner submits that the
petitioner was not apprehended from the spot as such nothing
was recovered from his conscious possession, it is next
submitted that the petitioner, being the owner of the Scooty,
came to be implicated, when no prudent person would use his



own vehicle for committing a crime and thus would create an evidence against himself and hence would get implicated, it is submitted that at the cost of repetition, that the petitioner is a person with clean 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 trial court 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 trial court where the case is pending/successor court in connection with Siwan Nagar P.S. Case No. 307 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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