

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.33450 of 2023**

Arising Out of PS. Case No.-7 Year-2023 Thana- MAHINDWARA District- Sitamarhi

CHANDAN KUMAR @ TUFANI SON OF RAJ KISHOR RAY RESIDENT  
OF VILLAGE- SAMAIL SAHPUR, PS- MAHINDWARA DISTT-  
SITAMARHI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Virendra Kumar

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

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

2      25-05-2023                      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 Sections 420, 467, 468, 471, 120B and 34 of the Indian Penal Code and Sections 30(a), 32(ii)(iii), 36, 41(I)(II) of the Bihar Excise Act.

Learned counsel for the petitioner submits that the petitioner has antecedent of three cases and allegation is of recovery of 3508 liters of liquor from four vehicles as detailed in the FIR.

Learned counsel for the petitioner submits that the petitioner was not apprehended from the spot as such nothing was recovered from his conscious possession and he came to be



implicated based on the confessional statement of co-accused in police custody which does not have any evidentiary value, it is next submitted that the petitioner is not the owner of any of the seized vehicle.

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. 15,000/- (Rupees Fifteen 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 Mahindwara P.S. Case No. 07 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

**(Satyavrat Verma, J)**

HarshPandey/-

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