

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36588 of 2023

Arising Out of PS. Case No.-372 Year-2022 Thana- NAVINAGAR District- Aurangabad

CHANDAN CHOUHAN SON OF RAM AKBAL CHAUHAN @ RAM
IKABAL CHAUHAN RESIDENT OF VILLAGE- MAHUARI BANDH
PAR, PS- NABINAGAR, DISTT- AURANGABAD

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumari Chandna, Advocate

For the Opposite Party/s : Md. Iftekhhar Mahmood, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 22-06-2023 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 Excise Act.

Learned counsel for the petitioner submits that the
petitioner has antecedent of two cases but inadvertently at
paragraph 3 it has been recorded that petitioner has antecedent
of one case only and allegation is of recovery of 25 liters of
liquor from a bamboo hut situated in a bamboo plantation at
village Mahuari.

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 even the alleged recovery is from a place which does not belong to the petitioner and he came to be implicated at the behest of the local villager but then the FIR does not disclose the name of the villager who disclosed the name of the petitioner.

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. 5,000/- (Rupees Five Thousand) each 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 Nabinagar P.S. Case No. 372 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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