

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46917 of 2023

Arising Out of PS. Case No.-528 Year-2022 Thana- ARARIA District- Araria

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CHANDAN PRASAD @ CHANDAN SAH SON OF RAJESHWAR SAH
RESIDENT OF VILLAGE- DAKSHIN BAGHOJATIN COLONY SILIGURI
(M. CROP), PS- PRADHAN NAGAR, DIST- DARJEELING (WEST
BENGAL)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana, Advocate

For the Opposite Party/s : Mr. Arun Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 24-07-2023 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.
2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Section 30(a) of the
Bihar Excise Act.
3. Learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and allegation is of
recovery of 123 liters of liquor from a Car.
4. Learned counsel for the petitioner submits that the
petitioner was not arrested from the spot as such nothing was
recovered from his conscious possession, and he came to be
implicated based on confessional statement of Dilip in police
custody which does not have any evidentiary value, it is further



submitted that petitioner is not the owner of the seized vehicle.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. 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 Araria (Bairgachhi) P.S. Case No. 528 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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