

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62012 of 2023

Arising Out of PS. Case No.-260 Year-2023 Thana- DEHRI TOWN District- Rohtas

CHANDAN PASWAN @ CHANDAN KUMAR S/O DEVANAND
PASWAN R/O MOHALLA- BARAH PATTHAR, WARD NO.-35, PASWAN
TOLI, P.S- DEHRI (T), DISTT.- ROHTAS.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashikant, Advocate

For the Opposite Party/s : Mr. Braj Kishore Pd., APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 13-10-2023 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Dehri (T) P.S. Case No. 260 of 2023 for the offence under section 30(a) of Bihar Prohibition and Excise Act lodged on 12.04.2023 by the informant, Ganga Nand Kumar.

3. As per the prosecution story, the Police on the basis of confidential information raided the place and from the house of accused persons, it is alleged that 50.5 liters country made liquor recovered/seized. Accordingly the FIR.

4. It is the case of the petitioner that recovery is from a joint house, nothing has been recovered from his conscious possession and he do not have criminal antecedent.

5. Learned APP opposes the prayer stating that



recovery is from his house.

6. Taking into account the fact that recovery is from a joint house, nothing has been recovered from his conscious possession and he do not have criminal antecedent, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Exclusive Special Judge, Excise Court No. 1, Rohtas at Sasaram, in connection with Dehri (T) P.S. Case No. 260 of 2023 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned



police station every fortnight for next six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

8. With the aforesaid observations, the anticipatory bail application is allowed.

(Rajiv Roy, J)

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