

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72014 of 2023

Arising Out of PS. Case No.-328 Year-2023 Thana- NAVINAGAR District- Aurangabad

Chitranjan Sah @ Chitranjan Saw Son Of Mahendra Sah R/O Village- Moap
Khurd P. S- Imadpur District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Yadav, Adv.

For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 28-11-2023 Heard Mr. Pramod Kumar Yadav, learned counsel for
the petitioner and Mr. Dilip Kumar No. 1, 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 Prohibition and Excise Act, 2018.

3. Learned counsel for the petitioner submits that
petitioner is innocent and has been falsely implicated in this
case. He submits that there is no recovery from the conscious
possession of the petitioner rather 11.300 liters of country made
liquor is said to have recovered from the motorcycle. He
submits that the petitioner is the owner of the seized vehicle.
He further submits that the petitioner was not present at the
place of occurrence. He also submits that the provisions of



Section 100 of Cr.P.C. relating to search and seizure have not been followed. The petitioner has no criminal antecedent as stated in para-3 of the bail application.

4. Petitioner is agreed to deposit a sum of Rs.5,000/- (Rupees Five Thousand) in Patna High Court Legal Services Committee, Patna, bearing Account No.1413010060836, IFSC Code: PUNB0141320, Punjab National Bank, Bar Council Branch, Patna.

5. Having regard to the facts and circumstances of the case and the fact that there is nothing recovered from the conscious possession of the petitioner, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Navinagar P.S. Case No.328 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C., subject to the further conditions that:

(1) That one of the bailors will be a close relative of the petitioner, who will give an affidavit giving genealogy as to



who he is related with the petitioner. He will also undertake to inform the Court if there is any change in the address of the petitioner.

(2) That the bailor shall also stated on affidavit that he will inform the Court concerned if the petitioner is implicated in any other case of similar nature after their release in the present case and thereafter the Court below will be at liberty to initiate proceeding for cancellation of bail on the ground of misuse.

6. The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of the aforesaid amount in the account of Patna High Court Legal Services Committee, Patna.

(Anjani Kumar Sharan, J)

anand/-

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