

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80569 of 2023

Arising Out of PS. Case No.-374 Year-2023 Thana- VAISHALI District- Vaishali

Chandan Kumar Son Of Pramod Singh Reseident Of Village- Ananta
Kamtaul, P.S.- Kudhani, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjit Kumar Thakur, Advocate
For the Opposite Party/s : Mr. Parmanand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 15-12-2023 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner is apprehending his arrest in a case registered for the offences punishable under Section 420, 467, 468, 471, 120(B) of the Indian Penal Code and Sections 30(a), 32(ii)(iii), 36 and 41(i)(ii) of the Bihar Prohibition and Excise Act.

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 1979.28 liters of foreign liquor is said to have recovered from a truck. He submits that driver and conductor of the said truck was apprehended on the spot who disclosed the name of the petitioner. He submits that there is no recovery made from the conscious possession of the



petitioner. He further submits that petitioner has got no criminal antecedent as stated in para-3 of the bail application.

4. Petitioner is agreed to deposit a sum of Rs. 25,000.00 (Rupees Twenty-Five Thousand) in the account of Mahavir Cancer Sansthan, bearing Account No. 3332964762, IFSC Code: CBIN0282779 (fifth character is zero), Central Bank of India, Chitkohra Branch.

5. Considering the facts and circumstance of the case and the fact that there is no recovery from the conscious possession of the petitioner, let the above named petitioner, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail 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 Vaishali (Belsar O.P.) P.S. Case No. 374 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C., with further conditions:

(i) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.

(ii) The petitioner shall not indulge himself in any



similar offence till conclusion of the trial.

6. The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of the aforesaid amount in the account of Mahavir Cancer Sansthan, Patna.

(Anjani Kumar Sharan, J)

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