

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11040 of 2024

Arising Out of PS. Case No.-440 Year-2023 Thana- RAJPUR District- Buxar

Satendra Chauhan @ Satendra Kumar Chauhan Son of Late Sadafal Chauhan
R/o vill - Akabarpur, P.S. - Rajpur, Distt. - Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Dr. (Mr.) Kamal Deo Sharma, Advocate
For the Opposite Party/s : Mr. Md. Anzarul Haque Sahara, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 01-03-2024 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 offence punishable under Section 30(a) of the
Bihar Prohibition and Excise (Amendment) Act, 2018.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of one case.

4. Allegation is of recovery of 360 litres of liquor
from the house of Pappu Kumar and 37.4 litres of liquor from a
plastic bag kept on a motorcycle.

5. Learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession and is not the owner of
the motorcycle nor the house belongs to him. It is further
submitted that petitioner has no relation or connection with



Pappu Kumar and petitioner came to be implicated based on the confessional statement of apprehended accused in police custody which does not have any evidentiary value in the eye of law.

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

7. 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 Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.5,000/- (Rupees 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 Rajpur P.S. Case No. 440 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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