

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38776 of 2024

Arising Out of PS. Case No.-93 Year-2024 Thana- BHELDI District- Saran

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Chandan Kumar @ Chandan Chaudhary S/O Birendra Chaudhary Resident of
Village-Mala, P.S.-Chapra Mufasil, District-Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Yadav, Advocate

For the Opposite Party/s : Mr. Gauri Shankar Gupta, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 28-06-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Bheldi
PS Case No. 93 of 2024 instituted for the offences under
Sections 413 & 414 of the Indian Penal Code and Section 30(a)
of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 140 liters
liquor was recovered from the bike and the petitioner was
apprehended on the spot.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from
the conscious possession of the petitioner. The petitioner has got



no concern with the alleged recovery of liquor. Petitioner is the owner of the motorcycle in question. The petitioner is in custody since 19-03-2024 and has got no criminal antecedent. There is no compliance of Section 100 of Cr.P.C. Other co-accused has been granted bail by this Court vide order dated 16-05-2024, passed in Cr. Misc. No. 37302 of 2024.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, clean antecedent of the petitioner and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Bheldi PS Case No. 93 of 2024.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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