

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50882 of 2024

Arising Out of PS. Case No.-359 Year-2023 Thana- NARDIGANJ District- Nawada

Chandan Kumar Son of Munna Sao Resident of Village - Fatehpur, Police
Station - Fatehpur In The District Of Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar, Advocate

For the Opposite Party/s : Mr. Rana Randhir Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 21-08-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Nardiganj P.S. Case No. 359 of 2023 instituted under
Section 30(a) of the Bihar Prohibition & Excise Act.

3. As per the prosecution case, 200 litres of country-
made liquor has been recovered from the tempo of the
petitioner.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has been falsely implicated in this
case having no criminal antecedent. He further submits that the
petitioner has been made accused in this case due to the reason
that he is owner of the seized tempo and the petitioner had given
the tempo to the drive on rent. Learned counsel submits that the



petitioner has no concern with the seized liquor. The petitioner was neither present on the spot nor any incriminating article has been recovered from the possession of the petitioner. He further submits that petitioner undertakes to co-operate in the investigation and the trial.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount to each to the satisfaction of the learned Special Judge, Exclusive Special Court, Excise-2, Nawada / Concerned Trial Court in connection with Nardiganj P.S. Case No. 359 of 2023, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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