

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47430 of 2024

Arising Out of PS. Case No.-211 Year-2024 Thana- BETTIAH CITY District- West
Champaran

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Chandan Kumar @ Chandan Sah S/O Late Lal Babu Sha R/O Village-Pipal
Chowk Baswariya,P.S.-Bettiah(T),west champran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gauri Shankar Thakur
For the Opposite Party/s : Mr. Suresh Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 22-07-2024
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 Bihar Prohibition
and Excise Act.
3. Learned counsel for the petitioner submits that
petitioner has antecedent of four cases and allegation is of recovery
of 8.295 litres of liquor from a motorcycle. It is next submitted that
petitioner was not arrested from the spot as such nothing was
recovered from his conscious possession and he came to be
implicated based on the fact that he is owner of the seized
motorcycle. It is next submitted that no prudent person would use his
own vehicle for committing an occurrence and thus would create
evidence against himself and hence would get implicated. It is thus



submitted that the petitioner was completely unaware that Subhash would misuse his vehicle in the manner as alleged who was also apprehended from the spot.

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

5. 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.20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Bettiah (T) P.S. Case No.211/2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

6. It is made clear that the learned trial court before accepting the bail bonds of the petitioner shall verify the criminal antecedents of the petitioner and in the event if it is found that petitioner has antecedent of more than four cases, in that event, the present anticipatory bail order shall not be given effect to.

(Satyavrat Verma, J)

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