

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51700 of 2024

Arising Out of PS. Case No.-269 Year-2024 Thana- SASARAM MUFFSIL District- Rohtas

Kishan Chaudhary @ Kisana Chaudhary @ Krishna Chaudhary SON OF
LATE MANDEEP CHAUDHARY Village- Khanda PS - sasaram Muffasil
Dist -Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Babu Nandan Prasad
For the Opposite Party/s : Mr. Pradeep Narain Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 01-08-2024 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 Amendment Act, 2018.
3. Learned counsel for the petitioner submits that
petitioner has antecedent of two cases and allegation is of recovery of
40 litres of liquor from bank of kaw river. It is next submitted that
petitioner was not arrested from the spot as such nothing was
recovered from his conscious possession and even alleged recovery is
from a place which does not belong to the petitioner and is accessible
to public at large and he came to be implicated based on confessional
statement of apprehended accused Aakash in police custody, which
does not have any evidentiary value.



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.10,000/- (Rupees ten 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 Sasaram (M) P.S. Case No.269/2024, 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 two cases, in that event, the present anticipatory bail order shall not be given effect to.

(Satyavrat Verma, J)

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