

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78659 of 2024

Arising Out of PS. Case No.-454 Year-2024 Thana- SHASTRINAGAR District- Patna

Chandan Kumar @ Chandan Mandal S/O Basant Mandal Resident of Jhopdi
Railway Crossing, Pump House, Punaichak, L.B.S Nagar, P.S- Shastri Nagar,
Dist.-Patna, Bihar- 800023.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Giri, Advocate

For the Opposite Party/s : Ms. Indu Kumari Srivastava, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 02-12-2024 Heard learned counsel for the petitioner and Ms.
Indu Kumari Srivastava, learned APP for the State.

2. Learned counsel for the petitioner is permitted to
make some necessary corrections in his bail petition.

3. The instant application for anticipatory bail has
been filed by the petitioner apprehending his arrest in connection
with Shastri Nagar P.S. Case No. 454 of 2024 instituted for the
offence under Section 30(a) of the Bihar Prohibition and Excise
Act.

4. The case of the prosecution is that altogether 800
ml of country made liquor was recovered from the motorcycle's
handle of the petitioner. It is further alleged that petitioner is
owner and driver of the said motorcycle.

5. Learned counsel appearing on behalf of the



petitioner has submitted that petitioner is innocent and has committed no offence. Nothing has been recovered from the conscious possession of the petitioner. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. There is no independent witnesses of the seizure list rather they are police personnel.

6. In contra, learned APP appearing for the State has opposed the prayer of bail of the petitioner.

7. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Shastri Nagar P.S. Case No. 454 of 2024, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge Excise-2, Patna subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Ashok Kumar Pandey, J)

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