

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83734 of 2024

Arising Out of PS. Case No.-298 Year-2024 Thana- KUDRA District- Kaimur (Bhabua)

Chandan Bind Son of Dindayal Bind Resident of Village- Barughat, P.S.-
Kudra, Distt.- Kaimur at Bhabhua

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan, Adv.
For the Opposite Party/s : Mr. Parmanand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 11-12-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Kudra P.S. Case No. 298 of 2024 dated 20.08.2024, instituted
for the offence punishable under Section 30(a) Bihar Prohibition
and Excise Amendment Act, 2016.

3. The allegation is of recovery of 26.67 litres from
the motorcycle bearing Reg. No. UP61BH7998 belonging to
Chandan Kumar Yadav.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in this
case. It is submitted that that only on the basis of disclosure
made by the apprehended person, namely, Chandan Kumar
Yadav who disclosed the name of the petitioner, the petitioner



has been made accused in this case. It is submitted that nothing has been recovered either from the conscious possession of the petitioner or from his house. It is submitted that the petitioner is neither the owner nor the driver of the said vehicle. Lastly, it has been submitted that he has no criminal antecedent.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Kudra P.S. Case No. 298 of 2024, he shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Spl. Exclusive Judge, Excise-I, Kaimur at Bhabhua, subject to condition as laid down under Section 438(2) of the Cr.P.C..

(Khatim Reza, J)

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