

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83858 of 2023

Arising Out of PS. Case No.-715 Year-2023 Thana- SARAIYA District- Muzaffarpur

Chandan Kumar, Son Of Chinta Singh R/O Village- Repura Rampur Balli,
P.S.- Saraiya (JAIPUR O.P.), Dist.- Muzaffarpur

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar

For the Opposite Party/s : Mr.Chandra Bhushan Prasad- A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 21-02-2024 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Sections 272, 273 and 34 of the I.P.C. and Sections 30(a), 32(ii),
32(iii), 36 and 41 of the Excise Act.

3. The learned counsel for the petitioner submits that
the petitioner is a person with clean antecedent and the
allegation is of recovery of 88.5 litres of liquor from a truck.

4. The learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession, nor petitioner is the
owner or driver of the truck and he came to be implicated based
on confessional statement of co-accused in police, which does



not have any evidentiary value.

5. Learned A.P.P. opposes the bail application.

6. 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, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 500/- (Rupees Five Hundred) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise Court-II, Muzaffarpur in connection with Saraiya (Jaitpur O.P.) P. S. Case No.715 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

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