

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11401 of 2024

Arising Out of PS. Case No.-202 Year-2023 Thana- KURSAKANTA District- Araria

Chandan Mandal @ Chandan Bishwas S/O Bagan Lal Bishwas R/O Village-
Muratipur, Ward No. 02, P.S- Kursakanta, Distt.- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Kanchan Jha, Advocate
For the Opposite Party/s	:	Mr. Nand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 01-03-2024 1 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2 The petitioner apprehends his arrest in a case regis-
tered for the offences punishable under Sections 30(a) and 37(c)
of the Bihar Excise Act.

3 Learned counsel for the petitioner submits that the
petitioner has antecedent of one case and allegation is of recov-
ery of 16.500 litres of liquor from three motorcycles, as detailed
in FIR.

4 Learned counsel for the petitioner submits that the
petitioner was not arrested from the spot as such nothing was re-
covered from his conscious possession and he came to be im-
plicated base on the fact that he is owner of one of the seized
motorcycles. 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 further submitted that petitioner was completely unaware that his brother-in-law, Panchanand, would misuse the vehicle in the manner as alleged, who was also apprehend from the spot.

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

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 trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five 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 Kursakanta P.S. Case No. 202 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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