

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6525 of 2025

Arising Out of PS. Case No.-35 Year-2023 Thana- LACHHUAR District- Jamui

Chandan Prasad, aged about 39 years (M), S/o- Rajendra Prasad, resident of
Village- Abhaypur, P.S.- Jamui, District- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prabhat Ranjan Singh, Advocate

For the Opposite Party/s : Ms. Asha Devi, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 19-02-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends arrest in connection with
Lachhwar PS Case No.35 of 2023 dated 1603.2023, instituted
under Sections 272 and 273 of the Indian Penal Code and
Section 30(a) of the Bihar Prohibition and Excise Act, 2016

3. The allegation is of recovery of 110 litres Mahua
liquor from the motorcycle kept in two plastic gallons.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this
case. Learned counsel further submits that only on the basis that
the seized motorcycle belongs to the petitioner, he has been
implicated in this case. Further submission is that the
petitioner's motorcycle bearing registration no. BR 46 B 5310



was stolen for which Jamui PS Case No.308 of 2022 was instituted in which police has submitted final form on 28.09.2022 against unknown miscreants. Further submission is that registration number of the seized motorcycle was tampered to conceal the identification of the vehicle. However, from the engine number and chassis number it could be detected that the owner of the vehicle is the petitioner. Further submission is that the petitioner has no concern with the alleged recovered liquor and the petitioner has clean antecedents.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on 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 Exclusive Excise Court-I, Jamui, in Lachhuar PS Case No.35 of 2023, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

7. The application stands allowed.

(Khatim Reza, J)

J. Alam/-

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