

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24351 of 2025

Arising Out of PS. Case No.-291 Year-2024 Thana- KALYANPUR District- Samastipur

Chandan Kumar @ Chandan Ram S/o Sri Sudhir Ram R/o Village- Gohi
Bishanpur Ward No. 7, P.S.- Warishnagar, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Anu Priyadarshni, Adv.

For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 11-04-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Kalyanpur P.S. Case No. 291 of 2024 registered for the offences punishable under Section 30(a) of the Bihar Excise (Amendment) Act.

3. As per prosecution case, the police has recovered total 44.625 liters of illicit foreign liquor from the Tempo.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case due to dirty village politics. The petitioner was not arrested on the spot and, thus, nothing incriminating has been recovered



from the conscious possession of the petitioner. The petitioner is neither driver nor owner of the alleged seized Tempo and the same belongs to the co-accused Umesh Ram who disclosed the name of the petitioner in the present case. The petitioner has no criminal antecedent as has been stated in paragraph no.3 of the present anticipatory bail application. The petitioner has no concern with the alleged occurrence or the seized liquor. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case.

5. Learned counsel for the petitioner further submits that the co-accused Umesh Ram has been granted regular bail by this Court vide order dated 16.01.2025 passed in Cr. Misc. No. 291 of 2024.

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

7. Considering the entire facts and circumstances of the case and taking into account the submissions made by the learned counsel for the petitioner, let the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like



amount each to the satisfaction of the learned court below where
the case is pending/successor court in connection with
Kalyanpur P.S. Case No. 291 of 2024, subject to the conditions
as laid down under Section 482 (2) of the B.N.S.S.

(Rudra Prakash Mishra, J)

rishi/-

U		T	
---	--	---	--

