

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49270 of 2016

Arising Out of PS.Case No. -428 Year- 2016 Thana -MUZAFFARPUR SADAR District-
MUZAFFARPUR

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1. Ashok Chaudhary, Son of Late Jagdeo Chaudhary, Resident of Village-
Saketpuri, Bibiganj, P.S.- Sadar, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 19-12-2016 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This is an application for anticipatory bail for the
offences under Sections 272 and 273 of the Indian Penal Code and
Sections 47(A), 56 and 57 of the Bihar Excise (Amendment) Act,
2016.

The allegation against the petitioner is that six bottles of
country made liquor, have been recovered from the possession of
the petitioner.

It has been submitted on behalf of the petitioner that the
petitioner is PDS dealer and he has been falsely implicated in this
case.

Heard learned APP appearing for the State, who opposed



the prayer for anticipatory bail.

Having heard both sides and as there is allegation against the petitioner also, the prayer of the petitioner is rejected. However, the petitioner is directed to surrender before the court below and seek regular bail. If the petitioner surrenders before the Court below and seeks regular bail, the same shall be considered and disposed of on its own merit without being prejudiced by the present order if possible, on the same day taking into consideration the aspect of the matter that only six bottles of country made liquor have been recovered from the possession of the petitioner and there is no compliance of Section 100 of Criminal Procedure Code.

(Vinod Kumar Sinha, J)

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