

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 37501 of 2018

Arising Out of PS. Case No.-109 Year-2018 Thana- Akbarpur District- Nawada

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Bharat Choudhary, Son of Ganauri Choudhary, Resident of Village-
Pachrukhi, P.S.- Akbarpur, District- Nawada.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad

For the Opposite Party/s : Smt. Gulnar Begam

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 03-07-2018 Heard Sri Sheo Kumar Prasad, learned counsel for
the petitioner and learned Addl. Public Prosecutor.

The sole petitioner, apprehending his arrest in Akbarpur P.S. Case No. 109 of 2018 registered for offence under Section 30(a) of Bihar Prohibition and Excise Act, 2016, has prayed for grant of anticipatory bail.

At the very outset, learned counsel for the petitioner, by way of referring to statement made in paragraph – 3 of the petition, submits that petitioner is having clean antecedent. He further submits that in the present case, petitioner has falsely been made accused on an allegation, as if, 10 litres of *Mahua* liquor was shown to be recovered from the house of the petitioner. He submits that on perusal of the seizure list, which is at page 15, it is evident that the seizure list is in complete



violation of Section 100 of the Cr.P.C., since copy of seizure list was not provided to any family member of the petitioner. This suggests that no recovery was effected from the house of the petitioner.

Be that as it may, considering the fact that petitioner is having clean antecedent as well as nature of accusation, in the event of his arrest or surrender within a period of six weeks from today, let the petitioner namely Bharat Choudhary be enlarged on bail on furnishing bail-bond of **Rs. 10,000/-** (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge 2nd cum Special Judge, Nawada in connection with Akbarpur P.S. Case No. 109 of 2018, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

(Rakesh Kumar, J.)

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