

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11538 of 2019

Arising Out of PS. Case No.-258 Year-2018 Thana- MANJHI District- Saran

UPENDRA CHOUDHARY Son of Yugeshwar Choudhary Resident of
Village - Katokhar, P.S.- Manjhi, Distt - Saran (Chapra).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwary

For the Opposite Party/s : Mr.Sanjay Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 27-09-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises out of Manjhi Police Station Case No. 258 of 2018, disclosing offence under Sections 188/272/273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The petitioner is not named in the First Information Report. The prosecution case is that the police recovered 12.5 litres of illicit liquor from the houses of the named co-accused persons and the name of this petitioner has transpired in course of investigation.

Learned Counsel for the petitioner submits that the petitioner has got no criminal antecedent and no illicit liquor has been recovered from his possession or from the premises



belonging to the petitioner. He further submits that the petitioner has unnecessarily been dragged in this case with oblique motive.

After having heard learned Counsel for the parties concerned and taking into consideration the fact that no illicit liquor has been recovered from the conscious possession or the premises belonging to the petitioner, I am inclined to grant the petitioner privilege of anticipatory bail.

This application is, accordingly, allowed.

Let the petitioner, Upendra Choudhary, in the event of his arrest or surrender before the Court below within four weeks, be released 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 6th Additional Sessions Judge -cum- Special Judge, Excise, Saran, at Chapra, in connection with Manjhi Police Station Case No. 258 of 2018, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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