

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19520 of 2019

Arising Out of PS. Case No.-626 Year-2018 Thana- KANTI THARMAL POWER District-
Muzaffarpur

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Guddu Chaudhary @ Guddu Kumar Son of Janak Chaudhary R/o village-
Rampur Ratan, P.S.- Siwaipatti, Dist. Muzaffarpur. At present residing at
Kanti, P.S.- Kanti, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manoj Kumar

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 02-04-2019 Heard learned counsels for the petitioner and the
State.

The petitioner is apprehending arrest in a case registered
for the offences punishable under Sections 30(a) and 41 of the
Bihar Prohibition and Excise Act, 2016.

The prosecution case is that while travelling on a
motorcycle, co-accused Dheeraj Kumar was intercepted, and
from his possession 375 ml of Indian Made Foreign Liquor was
recovered. The apprehended co-accused person confessed that
the seized liquor has been supplied by the petitioner.

It is submitted by learned counsel for the petitioner that
admittedly, the recovery has not been made from the conscious
physical possession of the petitioner. A statement has been made



in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that name of the petitioner sprang up on the confession of apprehended co-accused person.

Considering the fact that prosecution case does not suggest that recovery has been made from the conscious physical possession of the petitioner, coupled with the statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Special Judge, Excise, Muzaffarpur in connection with Kanti P.S. Case No. 626 of 2018, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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