

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23242 of 2019

Arising Out of PS. Case No.-40 Year-2019 Thana- BHAGWAN BAZAR District- Saran

MUNNA CHOUDHARY Son of Late Nav Ratan Choudhary @ Nav Rodan Choudhary @ Narendra Choudhary, Resident of Village- Dulatganj, P.S.- Bhagwan Bazar, District- Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tej Pratap Singh

For the Opposite Party/s : Mr. Humayou Ahmad Khan

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 11-04-2019 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

In this case, the petitioner is seeking anticipatory bail in connection with Bhagwan Bazar P.S. Case No. 40 of 2019 registered for offence punishable under section 30 (a) of the Bihar Prohibition and Excise Act, 2016.

Allegation has been made that 35 litres of illegal liquor has been recovered from a field of different person and the petitioner has been identified by the Police in the light of a torch.

The learned counsel for the petitioner submits that it is a very concocted story in the sense that it will be very difficult to identify any person while fleeing from the place of



occurrence in night. The name of the petitioner has wrongly been added as an accused. The petitioner has no criminal history and the recovery has been made from a field of different person.

In such view of the matter, the prayer for bail of the petitioner is allowed and he, in the event of arrest or surrender before the court below within six weeks from today, is directed to be enlarged on anticipatory bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of 6th A.D.J., Saran at Chapra in connection with Bhagwan Bazar P.S. Case No. 40 of 2019, subject to the conditions as laid down under section 438 Cr. PC and also subject to the condition that one of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court. The petitioner will not induce any witness or tamper with the evidence. The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(Shivaji Pandey, J)

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