

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28806 of 2019

Arising Out of PS. Case No.-440 Year-2018 Thana- BAHADURPUR District- Darbhanga

Gulshan Choudhary Son of Sri Ravindra Choudhary, Resident of Village Salaha, P.S. Bahadurpur, District- Darbhanga.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Ajay Kumar Thakur, Advocate Mr. Shashank Shekhar, Advocate Ms. Swati Sinha, Advocate
For the Opposite Party/s :		Mr.Mritunjay Kumar Nirala, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 02-05-2019 Heard learned counsel for the petitioner, learned counsel for the informant and learned A.P.P. for the State.

The petitioner apprehends his arrest in Bahadurpur P.S. Case No.440 of 2018 registered under Sections 30(a), 38(2) and 41(2) of the Bihar Prohibition and Excise Act.

The gist of the allegation that the informant (S.H.O. of Bahadurpur P.S.) got secret information about the consignment of liquor kept at difference place near temple in Salaha village and on such, raid was conducted and huge quantity of Indian made foreign liquor was recovered. The informant further got information that Prabhakar Choudhary, Gulshan Choudhary (petitioner), Prakash Choudhary and Ashish Jha had brought consignment for illegal trade.



Learned counsel for the petitioner submits that the name of petitioner is disclosed by S.H.O. The informant has got no material to show the involvement of petitioner in any such trade of illicit liquor. Nothing has been recovered from possession of the petitioner but since it appears, of course, that the petitioner is not accused in any other excise cases but the petitioner has got criminal antecedent and he is accused in as many as three cases registered under Section 307 and other sections of the I.P.C. and under Section 25(1-b)a, 26, 27 and 35 of the Arms Act.

Having considered the fact that the petitioner has got criminal antecedent, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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