

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69181 of 2019**

Arising Out of PS. Case No.-52 Year-2018 Thana- ASHOK PAPER MILL District-
Darbhanga

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RAGHAVENDRA CHOUDHARY @ MOHAN KUMAR CHOUDHARY @
MOHAN CHOUDHARY S/o Prem Shankar Choudhary R/o village- Darhar,
P.S.- Bahadurpur, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

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

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 18-12-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner apprehends his arrest in a case registered
for the offence punishable under Sections 30(a) and 30(g) of
Bihar Prohibition and Excise Act, 2016.

Informant is the police officer, who in his written
complaint has alleged that on 21.05.2018 he was on patrolling
duty and found one truck was parked in suspicious
circumstances. He started watching around the truck and found
that liquor is being unloaded from the truck in a room near the
truck, consequently, raid was laid. It is further alleged that from
the truck in question and the room near the parked truck,
situated on the land and orchard of Prahlad Mehta, 3110
litres of country made foreign liquor were recovered. In



the meantime, two motorcycles borne persons came near the truck but on seeing the police party, they started fleeing away and subsequently, they were apprehended. The apprehended persons disclosed their names as co-accused Bittu and Mohan and they further disclosed that the recovered liquor belong to them.

It has been submitted on behalf of petitioner that petitioner is innocent and has been falsely implicated in this case. Nothing has been recovered from his possession. It has been further submitted that co-accused who were arrested have been granted bail by a co-ordinate Bench of this Court vide Cr. Misc. No. 42878/2018 and Cr. Misc. No. 71819/2018 and other similarly placed co-accused, namely Sanjay Sahni has been granted bail by a co-ordinate Bench of this Court as contained in Annexure-P2. Petitioner has no criminal antecedent.

Considering the facts and circumstances of the case, prayer of Anticipatory bail is allowed and petitioner named above in the event of arrest or surrender before the court below within four weeks from today, the petitioner is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of learned court below, in connection with G.O.



Case No. 497/2018/A.P.M. Case No. 52 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(S. Kumar, J)

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