

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75601 of 2019

Arising Out of PS. Case No.-148 Year-2019 Thana- AANDAR District- Siwan

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PANKAJ CHOUDHARY@ Pankaj Kr. Choudhary Son of Ramji Choudhary
Resident of Village- Shahpur, P.S.- Andar, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anuj Kumar

For the Opposite Party/s : Mr.Sucheta Yadav

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 02-12-2019 Heard learned counsel for the petitioner and the learned
APP for State.

Petitioner apprehend his arrest in connection with
Andar P.S. Case No. 148 of 2019, instituted for the offence
under Section(s) **30(A) of the Bihar Prohibition and Excise
Act, 2016**.

Learned senior counsel representing the petitioner
submits that prosecution alleges recovery from a Car. No
recovery has been alleged from the petitioner and only on the
basis of confessional statement of co-accused Rakesh Kumar
Yadav @ Kranti, the petitioner has been implicated in the instant



case. There is nothing on record to connect the petitioner with the allegations and the offences under the Bihar Prohibition and Excise Act are not made out against the petitioner.

The learned APP for the State opposed the prayer for bail.

For the limited purpose of grant of bail, this Court is inclined to accept the submissions of senior counsel for the petitioner.

Considering the aforesaid facts, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, above named, before the court below, within four (04) weeks from today, he shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the **Addl. Sessions Judge-II-cum- Spl. Judge, Excise, Siwan** in connection with **Andar P.S. Case No. 148 of 2019**, subject to the conditions as laid down under Section 438(2) Cr. P.C. subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.



(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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