

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78254 of 2019

Arising Out of PS. Case No.-207 Year-2019 Thana- SISWAN District- Siwan

NAKUL CHAUDHARY @ MENAKUL CHAUDHARY, (Male), aged about 42 years, S/O Late Baijnath Chaudhary, R/o Village- Chainpur Pasi Tola, P.S. Siswan (Chainpur O.P.), District- Siwan.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Gajendra Kumar Singh, Advocate.
For the Opposite Party : Mrs. Asha Devi, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

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

The petitioner is apprehending his arrest in a case for the offence registered under Sections 272, 273 of the IPC, 30(a) and 38(b) of Bihar Prohibition and Excise (Amendment) Act, 2018.

The prosecution story, in brief, is that 5 liters wine is said to have been recovered.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. It is alleged that total 5 liters wine is said to



have been recovered from joint house of the petitioner where other family members also reside. The petitioner had no knowledge regarding the alleged occurrence. There is no recovery of liquor from conscious possession of the petitioner. There is no compliance of Section 100 of Cr. P.C.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R./ complaint case.

Considering the aforesaid facts and circumstances, let the petitioner above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned 2nd Additional Sessions Judge-cum-Special Judge, Excise, Siwan, in connection with Siswan (Chainpur O.P.) P.S. Case No. 207 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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