

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9383 of 2020

Arising Out of PS. Case No.-16 Year-2020 Thana- TEKARI District- Gaya

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Pundeo Chaudhary @ Punydeo Chodhary, aged about 41 years, Male, Son of
Late Babulal Choudhary Resident of Village - Shiva Bigha, P.S.- Tekari,
District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vishwa Ranjan Choudhary, Advocate
For the Opposite Party/s : Mr.Surendra Kumar

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 29-02-2020 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Tekari P.S. Case No. 16 of 2020 registered for the offence
punishable under Section 30(a) of the Bihar Prohibition and
Excise Act, 2016.

Prosecution case in short is that after got secret
information that petitioner is involved in making and selling
illegal mahua wine in his house and for it verification and
necessary action proceeded for P.O. i.e. village Shiva Bigha and
in presence of witness searched the house of petitioner fled
away and during course of search found making wine on chulha
and recovered two big tasla, one Dhakan with pipe and 10 litres
mahua mishran.

Learned counsel for the petitioner submits that there is



no recovery from the conscious possession of the petitioner rather all the materials recovered from the house of the petitioner. Learned counsel for the petitioner further submits that the house belongs to the joint family property. Learned counsel for the petitioner further submits that the petitioner has got no criminal antecedent.

In the facts and circumstances of the case, I am inclined to grant anticipatory bail to the petitioner, subject to the condition that the petitioner is agreed to deposit Rs.10,000/- (ten thousand) in the Juvenile Justice Fund of the State Social Welfare Department and on deposit of the aforesaid amount, in the event of his arrest or surrender before the court below within six weeks from the date of communication of this order, the court below shall release on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of Special Court, Gaya in connection with Tekari P.S. Case No.16 of 2020, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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