

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10168 of 2020

Arising Out of PS. Case No.-294 Year-2019 Thana- MAGADH MEDICAL COLLEGE
District- Gaya

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SATYENDRA CHOUDHARY @ NANKI CHOUDHARY Son of Chandra
Choudhary Resident of Village - Nima, P.S.- Magadh Medical, 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
For the Opposite Party/s : Mr.Suresh Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 03-03-2020 Heard learned counsels for the parties.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 30(a) (c) of the Bihar Prohibition and Excise Act, 2016 as amended by Amendment Act 8 of 2018.

It is alleged that from the house of the petitioner, 10 liters Mahua liquor and 15 kgs. Mahua flower were recovered and six gallons of 35 litres containing Mahual flower were destroyed.

It is submitted by learned counsel for the petitioner that the recovery has been made from the joint family house. Statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that the recovery has been made



from the house of the petitioner.

Considering the nature of accusation and the recovery, this Court is not inclined to grant anticipatory bail as the same is not maintainable, however keeping in view the nature of recovery coupled with the statement made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent, it is a case for consideration of the prayer for regular bail by the learned Court below in case the petitioner surrenders within a period of six weeks and prays for the same in connection with Magadh Medical P.S. Case No.294 of 2019 pending in the Court of learned Special Judge, Excise, Gaya.

(Dinesh Kumar Singh, J)

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