

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13486 of 2020

Arising Out of PS. Case No.-174 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Saharsa

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MANOJ CHOUDHARY @ MANOJ KUMAR CHOUDHARY Son of Late
Hira Choudhary Resident of Village - Sitanabad, P.S. - Bakhtiyarpur, Distt.-
Saharsa. Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Randhir Kumar No.1, Advocate
For the Opposite Party/s : Dr. Ajeet Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 04-09-2020 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection
with Special Case no. 593 of 2019 arising out of Excise Case
no. 174 of 2019 registered for the offence punishable under
section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per prosecution report, while a raid was
conducted on the house of the petitioner it is stated that one
person managed to escape after leaving a plastic container near
the private toilet. It is further stated that on search 5 litres of
country liquor was recovered.

It is submitted by learned counsel for the petitioner
that the allegation as levelled in the FIR are false and
concocted. The alleged place of recovery is separate from the



house of the petitioner and is accessible to the general public.
The petitioner has no criminal antecedent.

The application for bail is opposed by learned APP
for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, the submissions made on behalf of the petitioner together with the petitioner not having any criminal antecedent, the Court is inclined to enlarge the petitioner on anticipatory bail. The petitioner is directed to surrender in the Court below within a period of six weeks from today and in the event of his arrest or surrender in connection with Special Case no. 593 of 2019 arising out of Excise case no.174/2019 he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge II-cum-Special Judge Excise, Saharsa subject to the conditions as laid down under section 438(2) of the Cr.P.C.

Prakash/-

(Partha Sarthy, J)

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