

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85466 of 2019

Arising Out of PS. Case No.-249 Year-2018 Thana- PHULPARAS District- Madhubani

Sanjay Chaudhary @ Sanjay Kumar Chaudhary Son of Late Sukhlal Chaudhary Resident of Village- Barhara, P.S.- Babubarhi, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha, Advocate

For the Opposite Party/s : Mr. Anil Prasad Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 19-02-2020 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Phulparas P.S. Case No. 249 of 2018 registered for the offences punishable under Sections 272, 273 of the Indian Penal Code and under Section 30(a), 38(i)(ii) of Bihar Prohibition and Excise Act.

The prosecution story as per the First Information Report is that the police on secret information broke open the lock of a room of Government Primary School, Charapati, Madhubani and recovered a total quantity of 721 liters of foreign liquor.

Learned counsel appearing on behalf of petitioner submits that petitioner has falsely been implicated in this case with ulterior motive inasmuch as the F.I.R. has been lodged



against three named accused persons and the petitioner has not been named in the F.I.R. He further submits that no illicit liquor has been recovered from the conscious possession of the petitioner. The name of the petitioner transpired during the course of investigation on disclosure allegedly made by the local people. Petitioner has got no criminal antecedent.

Having heard learned counsel for the parties and taking into consideration the fact that no illicit liquor has been recovered from the conscious possession of the petitioner or the premises belonging to the petitioner, I am inclined to grant anticipatory bail to the petitioner.

Accordingly, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks days from the date of receipt/production of a copy of this order, is directed to be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Rupees Ten thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge-cum-Special Judge, Excise Act, Madhubani in connection with Phulparas P.S. Case No. 249 of 2018, subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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