IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20567 of 2021

Arising Out of PS. Case No.-540 Year-2020 Thana- GOVERNMENT OFFICIAL COMP. District- Jehanabad

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MUKESH CHAUDHARY SON OF LATE KHADERAN CHAUDHARY RESIDENT OF VILLAGE- HARILGANJ, P.S.- JEHANABAD,D DISTRICT- JEHANABAD

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Gajendra Kumar Singh
For the Opposite Party/s : Mr. APP

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 22-12-2021 Heard learned counsel for the petitioner and learned APP for the State.

Learned counsel for the petitioner is expected to honour his undertaking to remove the defects as pointed out by the office when called upon to do so by the office.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Excise Case no. 540 of 2020 instituted for the offence under Sections 30(a) of the Bihar Prohibition and Excise Act.

Prosecution story relates to recovery of 12 litres Chulai wine from a vacant land situated outside the house of the petitioner.

Learned counsel appearing on behalf of the petitioner

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has submitted that petitioner is innocent and has committed no offence. He has got no criminal antecedent. The alleged recovery has been made from outside the house of the petitioner, which is a vacant land. No incriminating article has been recovered from his possession.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Excise Case no. 540 of 2020, he will be enlarged on 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 Additional Sessions Judge II-cum-Special Judge Excise Act, Jehanabad subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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