

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45066 of 2021

Arising Out of PS. Case No.-372 Year-2020 Thana- SHEKHPURA District- Sheikhpora

ROHAN CHAUDHARY @ ASHOK CHAUDHARY S/O Late Govind
chaudhary @ Balgovind Chaudhary Resident of Vill - Bajitpur, P.S. and
District - Sheikhpora.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Dr. Anjani Pd. Singh, Advocate

For the Opposite Party/s : Mr. Mukesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 01-11-2021 Heard learned counsel for the petitioner and learned
APP for the State.

Counsel for the petitioner is directed to remove the
defect(s), as pointed out by the office, within a period of eight
weeks.

The petitioner is apprehending his arrest in connection
with Sheikhpora P.S. case No.372/2020 registered under
Sections 272, 273 of I.P.C. and Sections 30(a) of the Bihar
Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 60 liters wine is
recovered.

It has been submitted on behalf of the petitioner that



the petitioner has got no criminal antecedent and there is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in this case. The name of the petitioner has transpired in this case on the basis of disclosure made by the local residents as per F.I.R. The names of local residents, who have named the petitioner, have not been disclosed by the prosecution. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 60 liters wine is recovered behind the house of co-accused. The petitioner had no knowledge regarding the alleged incident. Nothing incriminating has been recovered from the conscious possession of the petitioner. There is no compliance of Section 100 Cr.P.C.

On behalf of the State, it is submitted that the petitioner is named in the complaint case/F.I.R.

Considering the facts and circumstances of the case, the petitioner, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J. IInd, Sheikhpura in connection with Sheikhpura P.S. case



No.372/2020, subject to the conditions as laid down under
Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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