

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51 of 2021

Arising Out of PS. Case No.-122 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Nawada

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Sanjay Chauhan Son of Shibnandan Chauhan Resident of Village - Laxmipur,
Police Station - Mufassil, District - Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Man Mohan Kumar, Advocate
For the Opposite Party/s : Ms. Renu Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 01-11-2021 Heard Shri Man Mohan Kumar, learned counsel for
the petitioner and learned A.P.P. for the State.

The petitioner is seeking anticipatory bail in connection with Government Official Case No. 122 of 2020 instituted for the offences under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner, at the outset, submits that the petitioner is a person with clean antecedent and from bare perusal of the allegation as alleged in the F.I.R. it would manifest that recovery of illegal liquor has been made from backside of the house of one Chandan Manjhi and the petitioner was not apprehended from the place of occurrence. Further, in paragraph '7' of the anticipatory bail application it



has been clearly stated that the petitioner is a resident of another village namely, Lakshmipur whereas Chandan is from village Lohra Bihar Chak.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the facts and circumstances of the case in it's totality, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of ten weeks, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge, Excise Act, Nawada in connection with Government Official Case No. 122 of 2020 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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