

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5806 of 2021

Arising Out of PS. Case No.-411 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Gaya

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Nandu Chaudhary @ Nandev Chaudhari Son of Naresh Chaudhary R/O
Village- Vishunganj Sahbajpur, P.S.- Panchanpur, O.P., Tekari, District- Gaya.

... .. Petitioner/S

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinod Kumar- Advocate

For the Opposite Party/s : Mr. Ram Priya Sharan Singh- A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 24-09-2021 Heard Mr. Vinod Kumar, the learned Advocate for

the petitioner and Mr. Ram Priya Sharan Singh, the learned APP

for the State.

The petitioner seeks bail in anticipation of his arrest in
connection with Excise Case No.411 of 2020, instituted for the
offences under Section 30(a) of the Amended Bihar Prohibition
and Excise Act, 2018.

Regard being had to the fact that 12 litres of liquor
has been recovered from the roof-top of the house of the
petitioner, I am not inclined to grant anticipatory bail to him.

The prayer for anticipatory bail of the petitioner is
rejected.

However, if the petitioner surrenders before the Court



below and seeks bail, his application shall be considered on its own merits, taking into account that the petitioner has clean antecedents and that the house from where the recovery has been made is not in exclusive possession of the petitioner and that he is a daily-wage labourer who had gone outside of State to earn his livelihood, and shall pass orders in accordance with law without being prejudiced by the fact that the present anticipatory bail application has not been entertained by this Court.

(Ashutosh Kumar, J)

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