

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63236 of 2021

Arising Out of PS. Case No.-141 Year-2021 Thana- NARDIGANJ District- Nawada

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GORELAL CHAUDHARY @ GORE LAL KUMAR S/o Bale Chaudhary @
Balak Chaudhary R/o village- Ichua, P.S.- Nardiganj, District- Nawada
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arjun Prasad

For the Opposite Party/s : Mr.Suresh Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 14-12-2021 Heard learned counsel for the petitioner and the State.

Learned 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 Nardiganj P.S. Case No. 141 of 2021 registered for the
offence under Sections-30(a)/30(d)/34/41 of the Bihar
Prohibition and Excise Act, 2016.

The prosecution case, in short, is that two litres wine
and 600 liters Mahua solution is recovered.

It has been submitted on behalf of the petitioner that
the petitioner has got no criminal antecedent. There is no
allegation of tampering of witnesses alleged against the
petitioner. The petitioner has been falsely implicated in the
present case. It is alleged that two litres wine and 600 liters



Mahua solution is recovered from the Bhatti situated on the bank of a river. The name of the petitioner has transpired in this case on the basis of disclosure made by local chowkidar. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in the present case. Nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner had no knowledge regarding the alleged incident. 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 F.I.R.

Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, in the event of arrest/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 Additional Sessions Judge-II-cum-Special Judge, Excise Act, Nawada in connection with Nardiganj P.S. Case No. 141 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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