

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3898 of 2022

Arising Out of PS. Case No.-595 Year-2021 Thana- PURNEA SADAR District- Purnia

1. SANJAY CHOUDHARY SON OF SHANKAR CHOUDHARY @ SHANKAR CHOUDHARI
2. SONI DEVI WIFE OF SANJAY CHOUDHARY
Both R/O OF - SARNA CHAWK, RAMBAGH (DRIVER TOLA),
P.S.- SADAR, DISTRICT- PURNIA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mritunjay Kumar, Advocate

For the Opposite Party/s : Mr. Choubey Jawahar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 01-07-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State through virtual Court proceedings.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 272, 273 of the Indian Penal Code read with Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent.

Allegation is of recovery of 60 litres of liquor. It is alleged that 30 litres of liquor was recovered from the motorcycle of the petitioner's tenant Pramod Kumar Sah and 30 litres of liquor was recovered from the corner of the house of the petitioner which was kept in two plastic gallons.

Learned counsel for the petitioners submits that petitioners



have been falsely implicated in the present case. Petitioners were not apprehended from the spot, as such, nothing was recovered from their conscious possession. It is next submitted that Pramod Kumar Sah is a tenant in their house and, as such, the petitioners were completely unaware that he was misusing the premises for such illegal purposes.

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

Considering the submissions made by the learned counsel for the petitioners and the fact that the petitioners are persons with clean antecedent, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.1,000/- (Rupees One Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Purnea Sadar P.S. Case No. 595 of 2021, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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