

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11949 of 2022**

Arising Out of PS. Case No.-119 Year-2016 Thana- GOVERNMENT OFFICIAL COMP.
District- Jamui

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Bhola Choudhary Son Of Late Prabhu Choudhary R/O Village- Manpur, P.S.-
Aliganj (CHANDRADIP), District- Jamui

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Sinha, Advocate
For the Opposite Party/s : Mr. APP

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 25-08-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case
registered for the offences punishable under Section 47(a) and
(f) of the Excise Act.

It is a case of recovery of country made wine from the
plastic Jarkin.

It is submitted by learned counsel for the petitioner
that the petitioner has falsely been implicated in this case. He
further submits that no incriminating wine was recovered from
the conscious possession of the petitioner and petitioner has not
been apprehended at the spot. He further submits that the seized
article is wine of Jawa Mahua but not sent to laboratory for test.



He further submits that the alleged recovery was made on 04.02.2016 and after 42 days, the FIR was sent to the court but no explanation of delay has been given. Petitioner has clean antecedent.

Learned APP appearing for the State opposed the anticipatory bail.

Considering the aforesaid submissions, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned ADJ-II-cum-Special Judge Excise Jamui in connection with Case No. 119C of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

Brajesh Kumar/-

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