

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14100 of 2022

Arising Out of PS. Case No.-139 Year-2021 Thana- SIGAUDI District- Patna

SHIV SHANKAR CHAUDHARY Son of Late Bhera Chaudhary Resident of
Village- Karhara, P.S.- Singori, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 14242 of 2022

Arising Out of PS. Case No.-139 Year-2021 Thana- SIGAUDI District- Patna

TRIDEV KUMAR @ TRIDEV CHAUDHARY Son of Shiv Shankar
Chaudhary Resident of Village - Karhara, P.S. - Singori, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 14100 of 2022)

For the Petitioner/s : Mr.Rakesh Kumar

For the Opposite Party/s : Mr.Raj Ballabh Singh

(In CRIMINAL MISCELLANEOUS No. 14242 of 2022)

For the Petitioner/s : Mr.Rakesh Kumar

For the Opposite Party/s : Mr.Rajendra Prasad Nat

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 30-09-2022 Heard learned counsel for the petitioners and learned
APP for the State through virtual Court proceedings.

Learned counsel for the petitioners undertakes to remove
the defects within four weeks of resumption of normal court
proceedings. In the eventuality of non-removal of defects within
stipulated period, office will place the matter before the Bench.



Petitioners apprehend their arrest in connection with a case registered for the offence punishable u/s 30(a), 32, 36 of the Bihar Prohibition and Excise Act.

Altogether 30 litres of country made liquor and other utensils is said to have been recovered from the house of the petitioners.

Learned counsel for the petitioners submits that petitioners are quite innocent and have not committed any offence as alleged in the FIR. Petitioners have been falsely implicated in this case at the instance of their enemies. Their name transpired in this case on the basis of secret information. Petitioners have neither been apprehended on the spot nor any incriminating article has been recovered from their conscious physical possession. They have no concern either with the seized liquor or any trade of liquor. The house in question from where the recovery has been made is a joint property where several persons live. Petitioners have no criminal antecedent, as also mentioned in para-3 of the bail application.

Learned APP opposed the prayer for grant of anticipatory bail.

Considering the aforesaid facts and circumstances, since the recovery has been made from the house of the petitioners, I



am not inclined to enlarge the petitioners on bail. The prayer for grant of anticipatory bail on their behalf is hereby rejected.

This application is accordingly, dismissed.

(Anjani Kumar Sharan, J)

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