

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19139 of 2022

Arising Out of PS. Case No.-138 Year-2021 Thana- NARDIGANJ District- Nawada

1. MUSAFFIR CHAUDHARY Son of Late Bahadur Chaudhary Resident of Village - Ichua Tola, Sultanpur, P.s.- Nardiganj, Distt.- Nawadah.
2. Bhola Chaudhary Son of Bhago Chaudhary Resident of Village - Ichua Tola, Sultanpur, P.s.- Nardiganj, Distt.- Nawadah.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Shyam Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 15-06-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 30(d) and 41 of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioners submits that the petitioner no. 1 is a person with clean antecedent and petitioner no. 2 has antecedent of one case.

Allegation is of recovery of one liter of liquor from the place of occurrence along with utensils as detailed in the FIR.

Learned counsel for the petitioners further submits that admittedly the petitioners were not arrested from the spot,



as such, nothing was recovered from the conscious possession of the petitioners and they have been falsely implicated in the present case at the behest of the villager.

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 nature of recovery, 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.500/- (Rupees Five Hundred) 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 Nardiganj P.S. Case No. 138 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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