

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.35095 of 2021**

Arising Out of PS. Case No.-304 Year-2020 Thana- HUSSAINGANJ District- Siwan

BABLU CHAUDHARY Son of Achhelal Chaudhary @ Achhe Lal Pasi  
Resident of Village - Gopalpur, P.S.- Hussainganj, Distt.- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ajay Kumar Tiwary, Advocate

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA  
ORAL ORDER**

2      13-06-2022                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 272 and 273 of the Indian Penal Code read with Sections 30(a) and 41(i) of the Bihar Excise Act.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and the informant alleges that he received secret information that one Chhotelal Chaudhary is selling liquor from his *dalan* on which a raid was conducted and 13.200 litres of liquor was seized, further said Chhotelal Chaudhary disclosed that the liquor was given to him by this petitioner and Satyendra Chaudhary for selling.

Learned counsel for the petitioner submits that from bare perusal of the allegation as alleged in the F.I.R. it would



manifest that the petitioner was not arrested from the spot and his name transpired in the confessional statement of co-accused Chhotelal Chaudhary. It is next submitted that since there is no recovery from the conscious possession of the petitioner nor from his house that amply demonstrates that the petitioner has been falsely implicated based on confessional statement of co-accused.

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

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his 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. 2,000/- (Rupees Two 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 Hussainganj P.S. Case No. 304 of 2020 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

**(Satyavrat Verma, J)**

Rishi/-

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