

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37255 of 2021

Arising Out of PS. Case No.-33 Year-2021 Thana- VAISHALI District- Vaishali

DEEP NARAYAN CHOUDHARY Son of Ramashankar Choudhary Resident
of Village - Jatkauli, P.O. - Dharampur, P.S. - Vaishali, District - Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prakash Chandra Jha
For the Opposite Party/s : Dr. Indihar Kumari

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 02-03-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection
with Vaishali P.S. Case no. 33 of 2021 instituted for the offence
under Sections 30(a) and 41(1) of the Bihar Prohibition and
Excise Act.

Prosecution case relates to recovery of 34 litres of
IMFL from from a standing TATA Indigo Car bearing
registration No. KA01ME-0484.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. He has got no criminal antecedent. Petitioner has no
concern with the alleged recovery or with the vehicle in



question. In para 8 of the petition it is stated that owner of the car is one Ravindra Ram and not the petitioner. Neither the petitioner was arrested nor any incriminating article has been recovered from his possession.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Vaishali P.S. Case no. 33 of 2021, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge (Excise), Vaishali at Hajipur subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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