

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28136 of 2022

Arising Out of PS. Case No.-354 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Siwan

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JITENDRA CHAUDHARY SON OF LATE CHHOTE LAL CHAUDHARY
R/O VILLAGE- HUSSAINGANJ BAZAR (PASI TOLA), P.S.-
HUSSAINGANJ, DISTRICT- SIWAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh, Advocate

For the Opposite Party/s : Mr. Tarun Prasad Mandal, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 29-11-2022 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 30(a) and 30(c) of the Bihar Excise Act.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and allegation is of recovery of 200 litres of liquor, 60 litres of spirit from a garbage situated behind the house of petitioner and 3000 litres of jawa jaggery which was destroyed at the spot.

Learned counsel for the petitioner submits that the petitioner was not apprehended from the spot as such nothing was recovered from his conscious possession, it is next



submitted that even alleged recovery is from a place which does not belong to the petitioner and is accessible to public at large and he came to be implicated based on secret information.

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 trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 1,000/- (Rupees One Thousand) with two sureties of the like amount to the satisfaction of the learned trial court where the case is pending/successor court in connection with Excise (C-III) Case No. 354 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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