

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28658 of 2022

Arising Out of PS. Case No.-640 Year-2021 Thana- HISUWA District- Nawada

AKHILESH CHOUDHARY Son of Naresh Choudhary Resident of Village -
Kahariya, P.S.- Hisua, Dist.- Distt.- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad, Advocate

For the Opposite Party/s : Mr. Syed Ehteshamuddin, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 12-08-2022 Heard learned counsel for the petitioner and learned A.P.P.
for the State through the virtual Court proceedings.

Let the defect(s), if any, be removed within a period of
four weeks.

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

Learned counsel for the petitioner submits that petitioner
is a person with clean antecedent.

Allegation is of recovery of 16.5 litre of liquor from the
house of co-accused Sanju Devi and 200 litre of Mahua Jaggery
solution which was destroyed along with two litre of liquor from the
house of Shradha Devi.

Learned counsel for the petitioner submits that petitioner
was not arrested from the spot, as such, nothing was recovered from
his conscious possession. He further submits that petitioner came to



be implicated merely because her mother, who was arrested, disclosed his name. He next submits that the house is a joint family property and no inquiry with respect to the same was made by the police before arresting his mother. He also submits that since the house is a joint family property, as such, it cannot be alleged that it was the petitioner who had kept the liquor in the house when he is a person with clean antecedent and is a young boy of 19 years of age.

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 and keeping in mind the age of 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) 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 Hisua P.S. Case No. 640 of 2021, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Kundan/-

U		T	
---	--	---	--

