

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29120 of 2022**

Arising Out of PS. Case No.-23 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Begusarai

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SHRAVAN CHAUDHARY @ SHRAWAN CHAUDHARY Son of Late
Mohan Chaudhary Resident of village - Hardia, Ward No.- 9, P.S.- Muffasil,
District - Begusarai

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr.Sandip Kumar Gautam, Advocate
For the Opposite Party : Mr.Mritunjay Kumar Nirala, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 01-11-2022 Heard learned counsel for the petitioner and

learned APP for the State.

Learned counsel for the petitioner is directed to
remove the defect(s) as pointed out by the office within a
period of four weeks.

The petitioner is apprehending his arrest in a case
registered under Sections-37(b) & 30(a) of the Bihar
Prohibition and Excise Act, 2018.

The prosecution case, in short, is that 10 liters
wine is recovered.

It has been submitted on behalf of the petitioner
that the petitioner has got no criminal antecedent. There is
no allegation of tampering of witnesses alleged against the



petitioner. It is alleged that 10 liters wine is recovered from the cowshed belonging to joint family of the petitioner. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. Nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner had no knowledge regarding the alleged incident. There is no compliance of Section 100 Cr.P.C. Learned counsel for the petitioner has placed reliance upon the order dated 13-04-2022 passed by the Hon'ble Supreme Court in Cr. Appeal No. 626 of 2022 (Sweta Kumari Vs. State of Bihar).

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Court No.- 2, Begusarai in connection with Excise P.S. Case No. 23 of 2022, subject to the conditions as laid down under Section



438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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