

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30360 of 2022

Arising Out of PS. Case No.-278 Year-2017 Thana- SOHSARAI District- Nalanda

JITENDRA KUMAR CHAUDHARY SON OF LATE LALUU
CHAUDHARY R/O- SHINGAR HAAT, P.S.- SOHSARAI, DISTRICT-
NALANDA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kautilya Kumar Prasad

For the Opposite Party/s : Mr.Md. Mushtaque Alam

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 16-09-2022 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 Sohsarai P.S. Case no. 278 of 2017 instituted for the
offence under Sections 30(a) and 38 of the Bihar Prohibition
and Excise Act.

Prosecution case relates to recovery of 10 litres from a
black colour pulsar motorcycle which belongs to the petitioner
and co-accused was arrested on spot, who is full brother of this
petitioner.

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. His vehicle was being driven by his full brother, who was arrested on spot with liquor. 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 Sohsarai P.S. Case no. 278 of 2017, 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 District & Sessions Judge IV-cum-Special Judge II, Excise Court, Nalanda subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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