

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31511 of 2022

Arising Out of PS. Case No.-226 Year-2022 Thana- GRIYAK District- Nalanda

1. SANJAY CHAUDHARY Son of Mistry Chaudhary @ Mistry Chaudhary
 2. Kirendra Chaudhary @ Bengali Chaudhary @ Kirendra @ Bangali Son of Mundrika Chaudhary
 3. Pappu Chaudhary Son of Vaso Chaudhary @ Baso Chaudhary
 4. Mahesh Chaudhary Son of Late Indradeo Chaudhary
- All are Resident of Village - Kayampur, P.S. - Giriya, District - Nalanda.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar, Advocate
For the Opposite Party/s : Mrs. Sangeeta Sharma, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-08-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

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

The petitioners apprehend their arrest in a case
registered for the offence punishable under Section 30(a) of the
Bihar Prohibition and Excise (Amendment) Act, 2018.

Learned counsel for the petitioners submits that
petitioner no. 1 and 3 have antecedent of one case and petitioner
no. 2 and 4 have antecedent of two cases.

Allegation is of recovery of 32.500 litre of liquor from a
garbage ditch.

Learned counsel for the petitioners submits that



petitioners were not arrested from the spot, as such, nothing was recovered from their conscious possession. He further submits that the alleged recovery is from a place which is accessible to public at large and petitioners came to be implicated because of their criminal antecedent. He next submits that it is very easy to implicate someone based on secret information in order to save the real culprit.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their 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.10,000/- (Rupees Ten Thousand) each 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 Giriya (Pawapuri O.P.) P.S. Case No. 226 of 2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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