

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33205 of 2022

Arising Out of PS. Case No.-247 Year-2022 Thana- MASAUDHI District- Patna

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BIMAL CHOUDHARY @ BHIMAL CHOUDHARY, Son of Ganauri Choudhary, Resident of Mohalla-Sangatpar, Masarhi, P.S. Masaurhi, District-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Munni Kumar Moon, Advocate

For the Opposite Party/s : Ms. Pushpa Sinha.1, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 21-10-2022 Heard learned counsel for the petitioner and learned A.P.P. for the State through virtual Court proceedings.

The petitioner apprehends his arrest in a case registered for the offences punishable under Section 30(a) of the Bihar Excise Act.

Learned counsel for the petitioner submits that the petitioner has antecedent of one case and allegation is of recovery of 50 litres liquor from a society of Sangatpur Mushari and 80 litres liquor from the society of Taregana Mushari.

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 the 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 at the instance of *chowkidar* because of his antecedent.

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 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) 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 Masaurhi P.S. Case No. 247 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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