

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42925 of 2022

Arising Out of PS. Case No.-114 Year-2021 Thana- KISHUNPUR District- Supaul

Rajesh Kumar Chaudhari @ Rajesh Chaudhary Son Of - Shatrudhan
Chaudhari Resident Of Village- Mirjawa, P.S.- Triveniganj, District - Supaul.
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gaurav Prakash, Advocate
For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 29-08-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

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 Section 420 of the
Indian Penal Code read with Sections 30(a), 38(i), 41(i) of the
Bihar Prohibition and Excise (Amendment) Act, 2018.

Learned counsel for the petitioner submits that
petitioner has antecedent of four cases.

Allegation is of recovery of 3324.600 litre of liquor
from a container and a truck.

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 is neither the owner nor the driver of the alleged vehicle and he came to be implicated merely because a photo of cheque in the mobile of co-accused Rohit Kumar Singh was found which was issued by the petitioner. He next submits that petitioner came to be implicated by the police since he has antecedent of four cases.

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.25,000/- (Rupees Twenty-five 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 Kishanpur P.S. Case No. 114 of 2021, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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