

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48207 of 2022

Arising Out of PS. Case No.-15 Year-2022 Thana- MUZAFFARPUR TOWN District-
Muzaffarpur

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MUKESH CHAUDHARY S/O LATE RATAN CHAUDHARY Resident of
village- Lakaridhai South of Bandh, P.S.- Town (O.P. Sikandarpur), District-
Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Gajendra Kumar Singh, Advocate

For the Opposite Party/s : Mr.Ashok Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 13-09-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 272, 273
and 34 of the Indian Penal Code read with Sections 30(a), 30(c)
and 34 of the Bihar Excise Act.

Learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and allegation is of
recovery of 40 litres of liquor from the house of Prem
Chaudhary, Ganesh Chaudhary, Bajrangi Chaudhary and Golu
Chaudhary and 20 litres liquor from the house of Dabloo,
Babloo and petitioner.

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 house from which the alleged recovery was made is a joint family property.

At this stage, learned counsel for the petitioner seeks permission to withdraw the present anticipatory bail application.

Permission is accorded.

In the event, if the petitioner surrenders in the learned trial court on or before 12.10.2022, the learned trial court shall dispose of the bail application on the same day keeping in mind the fact that petitioner is a person with clean antecedent, he was not arrested from the spot and his name transpired in the confessional statement of Prem Chaudhary which has no evidentiary value.

Accordingly, the present anticipatory bail application is dismissed as withdrawn.

(Satyavrat Verma, J)

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