

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52144 of 2022

Arising Out of PS. Case No.-79 Year-2022 Thana- BHAGWANPUR District- Vaishali

1. BHOLA CHAUHAN @ BHOLA PRASAD CHAUHAN S/O TULAN CHAUHAN @ TULAN PRASAD CHAUHAN Resident of Village- Kiratpur, Rajaram, Pachhiyari District- Vaishali.
2. LAKSHYA CHAUHAN @ LAXMAN CHAUHAN @ LAKSHAMAN CHUHAN S/O JALANDHAR CHAUHAN Resident of Village- Kiratpur, Rajaram, Pachhiyari District- Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Ban Bihari Singh, Advocate
For the Opposite Party/s : Mr. Gauri Shankar Gupta, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 17-10-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Section 30(a) of the Bihar Excise Act.

Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and allegation is of recovery of 1000 litres semi-prepared liquor found near the pond of Lakshmi Sah among the bushes which was destroyed at the spot.

Learned counsel for the petitioners submits that the petitioners were not apprehended from the spot as such nothing



was recovered from their conscious possession, it is further submitted that petitioners have no concern with Lakshmi Sah and even the alleged place from where the recovery was made is a place which is accessible to public at large and the petitioner came to be implicated at the instance of boatmen and *chowkidar*.

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. 1,000/- (Rupees One 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 Bhagwanpur P.S. Case No. 79 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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