

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62662 of 2021

Arising Out of PS. Case No.-314 Year-2020 Thana- AWTARNAGAR District- Saran

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1. Rakesh Choudhary Son Of Ram Chandra Choudhary @ Ram Chandra Chaudhari Resident Of Village- Kamalpur, P.S.- Awtar Nagar, District- Saran At Chapra.
 2. Radha Choudhary Son Of Ram Chandra Choudhary @ Ram Chandra Chaudhari Resident Of Village- Kamalpur, P.S.- Awtar Nagar, District- Saran At Chapra.
 3. Jai Prakash Choudhary @ Jai Prakash @ Jallu @ Jallu Chaudhary Son Of Ram Chandra Choudhary @ Ram Chandra Choudhari Resident Of Village- Kamalpur, P.S.- Awtar Nagar, District- Saran At Chapra.

... .. Petitioner/s

Versus

The State Of Bihar

.. ... Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Binod Singh

For the Opposite Party/s : Mr.Dilip Kumar No. 1

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 24-06-2022 Learned counsel for the petitioners submits that the petitioner no. 1 has been arrested by the police, therefore, he seeks permission to withdraw this application with regard to petitioner no. 1.

Permission is granted.

Accordingly, this application is dismissed as withdrawn with regard to petitioner no. 1.

Heard learned counsel for the petitioners and learned APP for the State for consideration of bail with regard to rest of the petitioners.

Learned counsel for the petitioners undertakes to remove the defects within three weeks. In the eventuality of



non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 30/30(a) of the Bihar Prohibition and Excise Act.

Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case. He submits that there is no recovery from the conscious possession of the petitioners rather 60 liters of illicit liquor, utensils and other materials are said to have recovered from the spot. He submits that the local Choukidar disclosed the name of the petitioners.

However, learned APP for the State opposes the prayer for bail and submits that the petitioners are the member of syndicate.

Considering the facts and circumstance of the case, I am not inclined to enlarge the petitioners on anticipatory bail. Accordingly, his prayer for anticipatory bail is rejected in connection with Awtar Nagar P.S. Case No. 314 of 2020.

(Anjani Kumar Sharan, J)

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