

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63664 of 2021

Arising Out of PS. Case No.-277 Year-2021 Thana- BEGUSARAI TOWN District- Begusarai

1. AJAY CHAUDHARY Son of Shivjee Chaudhary Resident of Village - Sashan Ward No.1, P.s.- Hasanpur, Distt.- Samastipur.
2. Shivam Kumar Son of Krishna Chaudhary @ Kishun Chaudhary Resident of Village - Hardiya, Ward no.9, P.S.- Muffasil, Distt.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar, Advocate

For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 13-07-2022 Heard learned counsel for the petitioners and learned
APP for the State.

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

It is a case of recovery of about six liters of country made liquor from a motorcycle.

It is submitted by learned counsel for the petitioners that the petitioners have falsely been implicated in this case. He further submits that there is no recovery from the conscious or constructive possession of the petitioners and they have no concern with the seized liquor and petitioners have not been



apprehended at the spot. He further submits that petitioner no.1 who is the owner of the seized vehicle which was given to co-accused on the day of occurrence in good faith for the purpose of purchasing the medicines. Petitioners have got clean antecedent.

Learned APP appearing for the State has opposed the prayer for anticipatory bail.

Considering the aforesaid submissions as well as the fact that meagre quantity of liquor has been recovered, let the petitioners above named in the event of their arrest or surrender before the court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, Begusarai in connection with Town P.S. Case No. 277 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

Brajesh Kumar/-

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