

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57310 of 2022

Arising Out of PS. Case No.-538 Year-2021 Thana- MUZAFFARPUR TOWN District-
Muzaffarpur

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BABLU CHAUDHARY Son of Late Ratan Chaudhary R/o Mohalla-
Chandbara, Lekari Dhari, P.S- Town, Distt.- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Santosh Kumar, Advocate
For the Opposite Party/s : Mr. Yogendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 07-11-2022 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 and 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 19.035 litres of liquor from different vehicles, a box and a sack from Kumar Nagmani's building, further 10 litres of liquor from the house of Mukesh Chaudhary and 8 litres of liquor from the house of 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 is a joint family property as specifically pleaded at Para-7 as such it cannot be alleged with certainty that it was the petitioner who had kept the liquor.

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 trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 1,000/- (Rupees One Thousand) with two sureties of the like amount to the satisfaction of the learned trial court where the case is pending/successor court in connection with Muzaffarpur Town P.S. Case No. 538 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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