

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.69607 of 2021**

Arising Out of PS. Case No.-146 Year-2021 Thana- MUFFASIL District- West Champaran

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1. SURENDRA CHAUDHARY Son of Lal Badhur Chaudhary Resident of Village - Patrakha, P.s.- Manuapul, Distt.- Bettiah, West Champaran.
2. Dhananjay Chaudhary Son of Shivpujan Chaudhary Resident of Village - Patrakha, P.s.- Manuapul, Distt.- Bettiah, West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Brajesh Kumar Singh  
For the Opposite Party/s : Mr.Kalyan Shankar

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**CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA**  
**ORAL ORDER**

2      10-05-2022                      At the outset, learned counsel for the petitioners seeks permission to withdraw this application as against petitioner no. 2 as he has been arrested during pendency of the application.

Permission is granted.

The application, thus, stands dismissed as withdrawn as against petitioner no. 2. Dhananjay Chaudhary.

Heard learned counsels for the petitioner and the State.

Petitioners apprehend arrest in connection with Bettiah Mufassil Manuapul P.S. Case No. 146 of 2021 registered for the offence punishable under section 30(a) of

the Bihar Prohibition and Excise Act, 2016.

Learned counsel appearing for the petitioner submits that petitioner has been falsely implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The alleged recovery has been made from the bush near *Patrakha Nahar* which is an open place as is evident from the seizure list. Petitioner has no concern with the seized illicit liquor. Petitioner has no criminal antecedent.

Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, let the petitioner no.1 , above named, in the event of arrest or surrender within a period of four weeks from today, be released on bail on furnishing of his personal bond to the satisfaction of Special Judge, Excise, Bettiah, West Champaran in connection with Bettiah Mufassil Manuapul P.S. Case No. 146 of 2021 subject to the conditions laid down under section 438(2) Cr.P.C.

**(Arvind Srivastava, J)**

mcv/-

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