

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64720 of 2022

Arising Out of PS. Case No.-494 Year-2021 Thana- WAJIRGANJ District- Gaya

Mukesh Choudhary @ Mukesh Kumar S/O Sitaram Choudhary @ Viru Choudhary R/O Village- Pipra, P.S- Wazirganj, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dharmendra Kumar Sinha

For the Opposite Party/s : Mr.Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 02-12-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Section 30(a) of the Bihar Prohibition & Excise Act.

There is recovery of 44 litres of country made liquor from a motorcycle bearing registration No. BR-27D-2860. The petitioner is owner of the alleged motorcycle.

It is submitted by learned counsel for the petitioner that petitioner was not apprehended from the spot. Nothing has been recovered from the conscious possession of the petitioner. The name of the petitioner has come only because he is the owner of the said motorcycle. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.



The petitioner is directed to deposit a sum of Rs. 20,000/-(Rupees Twenty Thousands) in the District Legal Services Authority of concerned district.

In the facts and circumstance of the case, let the petitioner, above named, in the event of his 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 Thousands) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No. 1, Gaya in connection with Wazirganj P.S. Case No. 494 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of Rs. 20,000/-(Rupees Twenty Thousands) in District Legal Services Authority of concerned district.

(Sunil Kumar Panwar, J)

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