

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.72268 of 2022**

Arising Out of PS. Case No.-377 Year-2022 Thana- NOKHA District- Rohtas

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Gabbar Choudhary @ Ramesh Chaudhary, S/O Shiv Choudhary R/O Village-  
Shivpur, P.S- Nokha, District- Rohtas At Sasaram

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Raghunandan Kumar Singh

For the Opposite Party/s : Mr. Uday Chand Prasad

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**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

2      23-12-2022                      Heard learned counsel for the petitioner and learned APP  
for the State through video conferencing.

The petitioner seeks bail in anticipation of his arrest in a case registered for the offences punishable under Sections 30(a)(c)(d) of the Excise Act, 2018.

The learned counsel for the petitioner submits that the petitioner has antecedent of one case and the allegation is of recovery of 100 litres of liquor from Shivpur and 1000 litres of liquor from a heap of mud which was destroyed at the spot.

The learned counsel for the petitioner submits that petitioner was not arrested from the spot, as such, nothing was recovered from his conscious possession. It is next submitted that he came to be implicated based on secret information because of his antecedent. It is also submitted that recovery is from a government land and thus, in order to save the officials, the informant because of



his antecedent has made scapegoat.

Learned A.P.P. opposes the bail application.

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 Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Nokha P. S. Case No.377 of 2022, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

However, the learned trial Court before accepting the bail bonds of the petitioner shall verify the criminal antecedent of the petitioner and in the event, if it is found that petitioner has more than one criminal antecedent, then the present anticipatory bail order shall not be acted upon.

**(Satyavrat Verma, J)**

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