

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11569 of 2023

Arising Out of PS. Case No.-356 Year-2022 Thana- NARDIGANJ District- Nawada

1. DIPU CHAUDHARY S/O ARJUN CHAUDHARY Resident of Village- Sandalpur, P.S.- Nardiganj, District- Nawada (Bihar).
2. ANIL CHAUDHARY S/O RAJKUMAR CHAUDHARY Resident of Village- Sandalpur, P.S.- Nardiganj, District- Nawada (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 03-08-2023 At the outset, learned counsel for the petitioners seeks permission to withdraw the anticipatory bail application with respect to petitioner No. 2, namely, Anil Chaudhary as he has already been arrested during pendency of the case.

2. Permission is granted.

3. The anticipatory bail application with respect to petitioner No. 2, namely, Anil Chaudhary is dismissed as withdrawn.

4. Heard learned counsel for the parties.

5. Petitioner No. 1 apprehends arrest in registered for the offence punishable under Section 30(a) of Bihar Prohibition and Excise Act.



6. As per prosecution case, 20 liters of country made liquor was recovered from an open place.

7. Learned counsel for the petitioner submits that petitioner has been made accused only on suspicion. No incriminating material has been recovered from the conscious possession of the petitioner.

8. Learned A.P.P. for the State opposes the prayer for bail and submits that the petitioner has got one criminal antecedent of similar nature.

9. Considering the criminal antecedent, prayer for anticipatory bail of the petitioner No.1, namely, Dipu Chaudhary is refused.

(Prabhat Kumar Singh, J)

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