

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9900 of 2023

Arising Out of PS. Case No.-230 Year-2022 Thana- KHAJAULI District- Madhubani

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GOPAL CHOUDHARY @ GOPAL KUMAR CHOUDHARY Son of
Mahendra Choudhary R/v- Inrwa, P.S.- Khajauli, District- Madhubani

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Md. Soban Asghar
For the Opposite Party/s : Mr.Manoj Kumar

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 20-04-2023 Heard the parties.

Petitioner apprehends his arrest in connection with a case registered for the offence punishable u/s 272, 273 of IPC and 30(a) of Bihar Prohibition and Excise (Amendment) Act, 2018.

Altogether 13.5 litres of illicit liquor is said to have been recovered from the motorcycle of the co-accused Amarnath Singh, who was apprehended on the spot and petitioner is said to have called on the mobile phone of Amarnath Singh.

Learned counsel for the petitioner submits that petitioner is quite innocent and has not committed any offence as alleged in the FIR. Petitioner has been falsely implicated in this case at the instance of his enemies. His name transpired in this case only on the basis that petitioner has called on the mobile phone of the apprehended co-accused. Petitioner has neither been



apprehended on the spot nor any incriminating article has been recovered from his conscious physical possession. He has no concern either with the seized liquor or any trade of liquor. Petitioner has no criminal antecedent, as also mentioned in para-3 of the bail application.

Considering the aforesaid facts and circumstances, since there is no specific allegation against the petitioner, let the petitioner, named above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Khajauli P.S. Case No.230 of 2022 (G.R. No.2318/2022), subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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