

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18941 of 2023

Arising Out of PS. Case No.-80 Year-2023 Thana- WARISLIGANJ District- Nawada

SUNIL CHOUDHARY Son of Mahavir Choudhary Resident of village - Saur
Rajapur, P.S.- Warisaliganj, District - Nawada

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Bijendra Kumar, Advocate
For the Opposite Party : Mrs. Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 10-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner is directed to
remove the defect(s) as pointed out by the office within a period
of four weeks.

The petitioner is apprehending his arrest in a case
registered under Section-30(a) of the Bihar Prohibition and
Excise Act, 2016.

The prosecution case, in short, is that 4.125 liters wine
is recovered.

It has been submitted on behalf of the petitioner that
the petitioner has got no criminal antecedent. There is no
allegation of tampering of witnesses alleged against the
petitioner. It is alleged that 4.125 liters wine is recovered from



joint house of the petitioner. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. Nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner had no knowledge regarding the alleged incident. There is no compliance of Section 100 Cr.P.C.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Court below/concerned Court in connection with Warisaliganj P.S. Case No. 80 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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