

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20100 of 2023

Arising Out of PS. Case No.-23 Year-2023 Thana- MAGADH UNIVERSITY District- Gaya

1. RAJESH CHAUDHARY son of Late Jathu Chaudhary @ Late Jatu Chaudhary @ Late Jattu Chaudhary Village- Pachanwa Ps- Magadh University Dist- Gaya
2. Ravindra Chaudhary son of Late Jathu Chaudhary @ Late Jatu Chaudhary @ Late Jattu Chaudhary Village- Pachanwa Ps- Magadh University Dist- Gaya
3. Ajesh Chaudhary son of Late Jathu Chaudhary @ Late Jatu Chaudhary @ Late Jattu Chaudhary Village- Pachanwa Ps- Magadh University Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Singh, Advocate
For the Opposite Party/s : Gulnar Begum, Addl. Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 15-05-2023 At the outset, learned counsel for the petitioner no 1

seeks permission to withdraw the pre-arrest bail petition.

This bail petition of petitioner no 1 is dismissed as

withdrawn.

Heard learned counsel for the petitioner nos 2, 3 and

the State.

Petitioners no 2 and 3 apprehend arrest in a case

registered for the offence punishable under Section 30 (a) (d) of



the Bihar Prohibition and Excise (Amendment) Act -2018.

Prosecution case is that total 1000liters Jawa Mahua was recovered from beside the wall of the house of petitioner no 1 Rajesh Chaudhary.

Learned counsel appearing for the petitioners no 2 , 3 submits that no incriminating material has been recovered from their conscious possession. Petitioner no 3 claims clean antecedent, whereas petitioner no 2 has got one criminal antecedent of similar nature.

Learned counsel for the State opposes the bail petition and submits that petitioner no 2 has got one criminal antecedent of similar nature.

Considering the fact that petitioner no 2 has got one criminal antecedent of similar nature, prayer for anticipatory bail of petitioner no 2 is rejected.

However, in the event of arrest/surrender within six weeks from today, let the petitioner no 3, above named, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Learned Addl. Sessions Judge-Cum-Excl.Spl. Excise Court No 1, Gaya in connection with Magadh University Police Station Case No 23 of 2023, subject to the



conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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