

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26012 of 2023

Arising Out of PS. Case No.-726 Year-2022 Thana- RUNISAIDPUR District- Sitamarhi

1. Chandeshwari Chaudhary @ Chandeshwar Chaudhary Son of Late Khelawan Chaudhary Resident of village - Baghari, P.S. - Runnisaidpur, Dist. - Sitamarhi
2. Manoj Chaudhary @ Manoj Kumar Son of Chandeshwar Chaudhary Resident of village - Baghari, P.S. - Runnisaidpur, Dist. - Sitamarhi
3. Alok Chaudhary @ Alok Kumar Son of Manoj Chaudhary Resident of village - Baghari, P.S. - Runnisaidpur, Dist. - Sitamarhi
4. Aman Chaudhary Son of Manoj Chaudhary Resident of village - Baghari, P.S. - Runnisaidpur, Dist. - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-05-2023 Heard learned counsel for the petitioners and learned A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 30(a) and 41(i) of the Bihar Excise Act.

Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and allegation is of recovery of 598.5 litres liquor from a pickup van.

Learned counsel for the petitioners submits that the petitioners were not apprehended from the spot as such nothing was recovered from their conscious possession and they came to be implicated at the instance of *Chowkidar* with a view to save the



real culprits, it is next submitted that petitioner no.1 is a senior citizen aged about 75 years and all of a sudden he has been made a criminal. It is also submitted that the petitioners are not the owner of the pickup van rather petitioner no.3 is an employee in Gyan Ganga Public School and petitioner no.4 is employed with Reliance Industries at Pune. Learned council submits that since petitioners are doing well in their life as such in order to extract money from them, the *Chowkidar* falsely implicated them.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or 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. 1,000/- (Rupees One Thousand) each 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 Runnisaidpur P.S. Case No. 726 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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