

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26756 of 2023

Arising Out of PS. Case No.-410 Year-2022 Thana- GAUTAMBUDHNAGAR District-
Siwan

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RAGHUVANSH CHAUDHARY @ SADHU CHAUDHARY Son of Late
Deni Chaudhary Resident of Village - Dindayalpur, P.S.- G.B. Nagar, District
- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arbind Kumar Singh, Advocate
For the Opposite Party/s : Mr. Ajay Kumar No. 2, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

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

The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 30(a), 34
and 36 of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent.

Allegation is of recovery of 20 litres of liquor from a
plastic bag found at Salahpur canal.

Learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession. It is further submitted
that even the recovery is from a place which is accessible to
public at large and he came to be implicated by the local person



but the name of the local person is not disclosed in the FIR which creates doubt with regard to the veracity of the allegation as alleged in the FIR when petitioner admittedly is a person with clean antecedent.

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

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his 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) 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 G.B. Nagar P.S. Case No. 410 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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