

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28426 of 2023

Arising Out of PS. Case No.-58 Year-2023 Thana- MAHARAJGANJ District- Siwan

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ARUN CHOUDHARY @ ARUN KUMAR CHAUDHARY SON OF
SURESH CHOUDHARY RESIDENT OF VILLAGE PURANI BAZAR,
NONIYADIH, PS MAHARAJGANJ DISTT SIWAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Kumari Anupam, Advocate

For the Opposite Party/s : Mr. Surendra Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 17-05-2023 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 Section 30(a) of the
Bihar Excise Act.

Learned counsel for the petitioner submits that the
petitioner has antecedent of one case and allegation is of
recovery of 30 liters of liquor from a bush.

Learned counsel for the petitioner submits that the
petitioner was not apprehended from the spot as such nothing
was recovered from his conscious possession, it is next
submitted that petitioner came to be implicated by the local
people but then the FIR does not disclose the name of the local



people who disclosed the name which creates doubt with regard to the veracity of the allegation as alleged in the FIR, it is next submitted that even alleged recovery is from a place which is accessible to public at large and he came to be implicated because of his 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 trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount to the satisfaction of the learned trial court where the case is pending/successor court in connection with Maharajganj P.S. Case No. 58 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

GauravSinha/-

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