

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29958 of 2023

Arising Out of PS. Case No.-219 Year-2023 Thana- GOVERNMENT OFFICIAL COMP.
District- Siwan

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GUDDU CHAUDHARY @ GUDDU KUMAR CHAUDHARY Son of Janak
Lal Chaudhary Resident of Gopalpur, Bakerganj, P.S. - Hussainganj, Distt. -
Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arjun Prasad, Advocate

For the Opposite Party/s : Md. Akbar Ali, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 18-05-2023 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) and
41(i) of the Bihar Excise Act.

Learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and allegation is of
recovery of 152.64 liters of liquor from a pick-up van.

Learned counsel for the petitioner submits that the
petitioner was not arrested from the spot as such nothing was
recovered from his conscious possession and he came to be
implicated based on confessional statement of Ramesh Kumar
in police custody which does not have any evidentiary value. It
is further submitted that petitioner is not the owner of the
vehicle.



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. 1,000/- (Rupees One Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Excise P.S. Case No. 219 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

However, the learned Trial Court before accepting the bail bonds of the petitioner shall verify whether the seized vehicle belong to the petitioner or not and in the event, if it is found that the seized vehicle belongs to the petitioner then the present anticipatory bail order shall not be given effect to.

(Satyavrat Verma, J)

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