

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39457 of 2023

Arising Out of PS. Case No.-113 Year-2023 Thana- BIHPUR District- Bhagalpur

SINTU CHOUDHARY SON OF ANANDI CHOUDHARY RESIDENT OF
VILLAGE- VILL MILKI, BISHARI TOLA, PS- BIHPUR, DISTT-
BHAGALPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shambhu Narayan Singh, Advocate
For the Opposite Party/s : Mr. Yogendra Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 13-07-2023 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 offence punishable under Section 30(a) 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 5 liters of liquor from the kitchen of the house of the petitioner.

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 he came to be implicated at the instance of Chowkidar with whom he is on an inimical term, it is next submitted that



chowkidar was aware that the house is a joint family property, as such, it cannot be alleged with certainty that it was the petitioner who had kept the liquor in the house or the liquor kept in the house was within his knowledge

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 to the satisfaction of the learned trial court where the case is pending/successor court in connection with Bihpur P.S. Case No. 113 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

The learned counsel for the petitioner submits that the defects pointed out by the Office shall be removed during the course of the day.

(Satyavrat Verma, J)

GauravSinha/-

U		T	
---	--	---	--

