

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37086 of 2023

Arising Out of PS. Case No.-22 Year-2023 Thana- NAUTAN District- Siwan

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MADAN CHAUDHARY Son of Late Prabhunath Chaudhary Resident of
Village- Pratapur Kothi, PS- Nautan, Distt- Siwan

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Kumari Anupam

For the Opposite Party/s : Mr.Arvind Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 26-07-2023 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises out of Nautan Police Station Case No. 22 of 2023, dated 16.02.2023, disclosing offence under Sections 30(a) of the Bihar Prohibition and Excise Act, 2016 (hereinafter referred to as ‘the Act’).

The prosecution case, as per the First Information Report, is that 630 liters of illicit liquor has been recovered from the Bolero vehicle belonging to the petitioner.

Learned Counsel for the petitioner submits that the petitioner has got no criminal antecedent and he has not committed any offence in the manner alleged. He further submits that the vehicle, in question, was sold by the petitioner,



on 13.09.2022, in favour of one Paras Yadav, which would be evident from Annexure-2 to this application.

Regards being had to the submission made by the parties and taking into consideration the fact that the vehicle, in question, was transferred prior to the date of occurrence of 16.02.2023, I am inclined to grant the petitioner privilege of anticipatory bail.

This application is, accordingly, allowed.

Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Speicla Excise Court 2nd, Siwan, in connection with Nautan Police Station Case No. 22 of 2023, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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