

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.37395 of 2023**

Arising Out of PS. Case No.-125 Year-2023 Thana- BASANTPUR District- Siwan

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UMESH CHAUDHARY SON OF LATE JANKI CHAUDHARI @ LATE  
JANAK CHAUDHARY RESIDENT OF VILLAGE - BASAON, NAYA  
TOLA, P.S. - BASANTPUR, DISTRICT - SIWAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Brajesh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Pandey, APP

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**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY**  
**ORAL ORDER**

2      26-07-2023

1. Heard learned counsel for the parties.

2. The petitioner in this application prays for bail apprehending his arrest in connection with Basantpur P.S. Case no.125 of 2023 registered for the offence punishable under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, on a search being conducted, 20 litres of mahua liquor was recovered from a place behind the house of the petitioner.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. No incriminating article has been recovered from his possession or from his house. He has no concern either with the seized article nor with the place of seizure. He has no criminal antecedent and



undertakes to cooperate in the investigation/trial.

5. Heard learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegation in the F.I.R., no incriminating article having been recovered from the petitioner's possession or from his house, it is directed that the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Basantpur P.S. Case no.125 of 2023 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No.1, Siwan, subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

**(Partha Sarthy, J)**

Saurabh/-

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