

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39031 of 2023

Arising Out of PS. Case No.-119 Year-2023 Thana- GAUTAMBUDHNAGAR District-
Siwan

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DILIP CHAUDHARY Son of Late Satya Narayan Chaudhary Resident of
Village - Dindayalpur, P.S.- G.B. Nagar, District - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh, Advocate
For the Opposite Party/s : Mr. Dilip Kumar No. 1, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 27-06-2023 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), 34
and 36 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 30 liters of liquor from the house of the petitioner
and 25 liters of liquor from the house of one Rajendra Mahto.

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 that even the house is a joint family property, as



such, it cannot be alleged with certainty that it was petitioner who had kept the liquor in the house or the liquor kept in house was within his knowledge and he came to be implicated at the instance of Chowkidar with whom he is on an inimical term, when admittedly petitioner is a person with clean 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. 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 G.B. Nagar P.S. Case No. 119 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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