

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50681 of 2021

Arising Out of PS. Case No.-36 Year-2021 Thana- BODHGAYA District- Gaya

Sanjay Chaudhary, Male, aged about 37 years, Son of Shri Shivnandan Chaudhary, Resident of Village- Amwan, P.S.- Bodh Gaya, District- Gaya.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Amrit Abhijat, Advocate
For the Opposite Party : Mr. Arun Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 05-04-2023 Heard learned counsel for the petitioner and

learned counsel for the State.

The petitioner is apprehending his arrest in connection with Bodh Gaya P.S. Case No. 36 of 2021 for the offence registered under Sections 420, 467, 468, 471, 120(A) of the I.P.C. , Sections 30(a), 36, 41(i) of the Bihar Prohibition and Excise (Amendment) Act, 2018 and Section 27 of the Arms Act.

The prosecution story, in brief, is that total 2461.950 liters wine is recovered from the Truck and five other vehicles.

It has been submitted by learned counsel for the petitioner that there is no allegation of tampering with the



witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The name of the petitioner has transpired in the present case on the basis of disclosure made by co-accused. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in the present case. It is alleged that 2461.950 liters wine is recovered from the Truck and five other vehicles. None of the vehicles in question belongs to the petitioner. The petitioner had no knowledge regarding the alleged incident. Nothing incriminating has been recovered from the conscious possession of the petitioner. There is no compliance of Section 100 Cr. P.C.

On behalf of the State, it is submitted that the petitioner is not named in the F.I.R/ Complaint Case.

Considering the aforesaid facts and circumstances of the case, let the petitioner above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional



Sessions Judge-IIInd-cum-Special Judge, Excise Act, Gaya,
in connection with Bodh Gaya P.S. Case No. 36 of 2021,
subject to the conditions as laid down under Section 438(2)
of the Code of Criminal Procedure.

(Sudhir Singh, J)

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