

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47959 of 2023

Arising Out of PS. Case No.-308 Year-2020 Thana- DURGAWATI District- Kaimur (Bhabua)

MONU @ RAKESH CHOUDHARY SON OF PARAS NATH
CHAUDHARY @ PARAS CHAUDHARY RESIDENT OF VILLAGE
KOATH P.S DAWATH DISTRICT ROHTAS

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Shankar Pathak, Advocate

For the Opposite Party/s : Mr. Md. Nazir Ansari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 27-07-2023 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 414, 420, 467, 468, 471, 401, 120(B) of the Indian Penal Code and Section 30(a)(b) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

3. Learned counsel for the petitioner submits that petitioner has antecedent of four cases.

4. Allegation is of recovery of 1872.72 litres of liquor from a truck.

5. Learned counsel for the petitioner submits that petitioner was not arrested from the spot, as such, nothing was recovered from his conscious possession and he came to be



implicated based on the confessional statement of co-accused Chandan Kumar Sah and Mantu Kumar in police custody which does not have any evidentiary value in the eye of law. It is further submitted that petitioner is not the owner of the seized vehicle.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

7. 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 Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Durgawati P.S. Case No. 308 of 2020, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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