

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56723 of 2023

Arising Out of PS. Case No.-94 Year-2023 Thana- HABIBPUR District- Bhagalpur

Kamu Choudhary @ Kamal Kumar @ Kamu Kumar Choudhary @ Kamo Chaudhary, S/O Late Saheb Choudhary, R/O Village- Karori Bazar, P.S- Habibpur, District- Bhagalpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Syed Masleh Uddin Ashraf, Advocate

For the Opposite Party/s : Mrs. Pushpa Sinha 1, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 29-08-2023 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Habibpur P.S. Case No. 94 of 2023 registered for the offences punishable under Sections 30 (a) and 30 (d) of the Bihar Prohibition and Excise Amendment Act, 2018.

3. Allegation against the petitioner is of recovery of 10 litres of local made liquor, gas stove, gas cylinder, liquor making utensils and apparatus from the house of the petitioner.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case. No incriminating article was recovered from possession of the petitioner and the articles alleged to have been recovered



from the joint family property. Petitioner has no criminal antecedent.

5. Learned APP opposes the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the concerned Court where the case is pending in connection with Habibpur P.S. Case No. 94 of 2023, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Sunil Dutta Mishra, J)

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