

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58887 of 2023

Arising Out of PS. Case No.-391 Year-2023 Thana- BARACHATTI District- Gaya

Suresh Chaudhary, aged 35 years, Male, S/o Late Ram Bilash Chaudhary, R/o Village- Lalganj, P.S. Mohanpur, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sunil Kumar Yadav, Advocate
For the State	:	Dr. Kumar Uday Pratap, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 06-09-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with Barachatti (Mohanpur O.P.) P.S. Case No. 391 of 2023 dated 24.04.2023 instituted under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, there is recovery of 5 litres country made liquor from the house of the petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The recovery of liquor has been made from the joint family house of the petitioner and he has no concern with the recovered liquor. The petitioner was not apprehended from the spot and has no criminal antecedent.



5. Learned A.P.P. for the State 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, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No.- 2, Gaya in Barachatti (Mohanpur O.P.) P.S. Case No. 391 of 2023, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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