

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55578 of 2023

Arising Out of PS. Case No.-77 Year-2023 Thana- SANDESH District- Bhojpur

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1. CHANDAN PASI @ CHANDAN CHAUDHARY son of Gorakh Chaudhary R/o Village- Tirthkaul PS- Sandesh Dist- Bhojpur
 2. Lalu Chaudhary @ Lallu Chaudhary son of Munnilal Chaudhary @ Musa Chaudhary R/o Village- Tirthkaul PS- Sandesh Dist- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Diwakar, Advocate

For the Opposite Party/s : Mrs. Veena Kumari Jaiswal, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 25-08-2023 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

3. Learned counsel for the petitioners submits that petitioner is a person with clean antecedent.

4. Allegation is of recovery of 36 litres of liquor from a motorcycle.

5. Learned counsel for the petitioners submits that petitioners were not arrested from the spot, as such, nothing was recovered from their conscious possession and they came to be implicated at the instance of the Chawkidar with whom they are



on an inimical term. It is further submitted that petitioners are not the owner of the seized vehicle.

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

7. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their 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.1,000/- (Rupees One Thousand) each 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 Sandesh P.S. Case No. 77 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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