

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59351 of 2023

Arising Out of PS. Case No.-4 Year-2012 Thana- GOVERNMENT OFFICIAL COMP.
District- Nawada

Sanjay Chaudhary, aged about 40 years (Male), Son of Rambilash Choudhary
Resident of Village Shrirampur PS Akbarpur, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sheo Kumar Prasad, Advocate
For the State	:	Mr. Suresh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 08-09-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with G.O. Case No. 04 of 2012 instituted under Section 47(a)
& (f) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, there is recovery of 20
litres illicit *mahua* liquor; 400 Kg. fermented jawa *mahua* and
other incriminating articles 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. Nothing has been recovered from the physical or
conscious possession of the petitioner and the alleged recovery
was made from the joint family residential house. The



petitioner is working as a labour in Delhi and has no knowledge about the case which was lodged in the year 2012 of which notice was received from the Court. The petitioner 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-2, Nawada in G.O. Case No. 04 of 2012, 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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