

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.62074 of 2023**

Arising Out of PS. Case No.-129 Year-2020 Thana- GOPALPUR District- Patna

Sudhir Chaudhary @ Sudhir Kumar S/O Tuntun Chaudhary R/O Village-  
Panchrukhiya, P.S- Gopalpur, Distt.- Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Raj Shekhar, Advocate

For the Opposite Party/s : Mr. Suman Kumari Singh, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE KHATIM REZA**  
**ORAL ORDER**

2      16-10-2023                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with  
Gopalpur P.S. Case No. 129 of 2020 dated 18.04.2020,  
instituted for the offence punishable under Sections 188, 269,  
270, 271 of the Indian Penal Code and Section 30(a) of Bihar  
Prohibition and Excise Act, 2016.

3. Allegation is recovery of 30 litres country made  
Mahua wine from Dukhan Manjhi, who was arrested on the  
spot.

4. Learned counsel for the petitioner submits that the  
petitioner is innocent and he has been falsely implicated in this  
case. It is further submitted that the petitioner has not been  
arrested on the spot. The petitioner has been made accused in



this case only on the basis of confessional statement of Dukhan Manjhi, who was apprehended on the spot. It is also submitted that petitioner has no concern with the accused person nor with the alleged motorcycle. Lastly, it has been submitted that he has no criminal antecedents.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner in connection with Gopalpur P.S. Case No. 129 of 2020, he shall be released on anticipatory 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 Special Judge, Excise, Patna, subject to condition as laid down under Section 438(2) of the Cr.P.C. as well as subject to the verification of the seized vehicle if registration of the said vehicle is not in the name of the petitioner, he may be granted anticipatory bail.

**(Khatim Reza, J)**

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