

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64145 of 2023

Arising Out of PS. Case No.-142 Year-2023 Thana- CHARPOKHARI District- Bhojpur

KRISHNA CHAUDHARY SON OF BHORI CHAUDHARY VILLAGE-
BAGAH TOLA, PS- CHARPOKHRI, DIST- BHOJPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prithivi Raj Singh
For the Opposite Party/s : Mr.Ramesh Chandra

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 19-10-2023

1. Heard the parties.

2. The petitioner apprehends his arrest in connection with Charpokhri PS Case No. 142 of 2023 dated 22.07.2023 registered under Section 30 (a) of the Bihar Prohibition and Excise Amendment Act 2018.

3. As per the F.I.R. Police on the basis of secret information arrived at the place of occurrence and found that some persons assembled there were fleeing away. Upon search Police recovered 55 liters of illicit liquor near the bank of the river Banas. The Mahal Chaukidar has disclosed the name of ten persons who succeeded in fleeing away including the petitioner.

4. Learned counsel for the petitioner submits that petitioner is having no criminal antecedent and he has been made accused on the basis of disclosure of his name by the



Mahal Chaukidar. No illicit liquor has been recovered from the conscious possession of the petitioner and / or premises belonging to him. As per the F.I.R. illicit liquor has been recovered from an open space near the bank of a river, which is accessible to all and sundry.

5. Regard being had to the submission made by the parties, taking into consideration the fact that petitioner is having no criminal antecedent and no illicit has been recovered from his conscious possession and / or premises belong to him, as such, I am inclined to grant anticipatory bail to the petitioner.

6. Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of Exclusive Special Excise Court No. 1st Bhojpur Ara in connection with Charpokhri PS Case No. 142 of 2023 subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

praful/-

(Anil Kumar Sinha, J)

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