

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66666 of 2023

Arising Out of PS. Case No.-191 Year-2023 Thana- BISFI District- Madhubani

Indranand Chaudhary @ Indra Nand Chaudhary, Son Of Srilal Chaudhary
Resident Of Village - Parsauni, P.S. - Patauna O.P., District - Madhubani
... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Bharti, Advocate
For the Opposite Party/s : Mr. Akhileshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 19-10-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner in the present case is seeking pre-arrest bail in connection with Bisfi (Patauna O.P.) P.S. Case No. 191 of 2023 registered for the offences punishable under Sections 272, 273, 420, 467, 468, 471, 120(B) of the Indian Penal Code and Sections 30(a), 36, 38(i), 41(i) of the Bihar Prohibition and Excise (Amendment) Act, 2018. He has got no criminal antecedent.

3. As per the prosecution story, the informant along with other police personnel during night patrolling duty received a secret information that near the campus of United Public School, some accused persons are involved in illegal trading of illicit liquor. On this information, the informant along with other police personnel reached there and found that a truck and three



motorcycles were parked there and accused persons had fled away. On search, altogether 1523.880 liters of foreign liquor was recovered. In the presence of local chaukidar, seizure list was prepared and police spy disclosed the name of the petitioner and other accused persons.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the petitioner has no concern with the alleged recovered illicit liquor.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Having regard to the submission that the petitioner has no concern with the illicit liquor, truck and motorcycle and he has been implicated at the instance of local choukidar with whom he is not maintaining good relationship and further that this petitioner's name is said to have been given on the basis of statement of a police spy, otherwise he has no criminal antecedent, in the circumstances, this Court directs that in case of his arrest or surrender within a period of six weeks from today, the petitioner above named be released on bail in connection with Bisfi (Patauna O.P.) P.S. Case No. 191 of 2023 on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five



Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge, Excise Act, Madhubani, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

8. This application stands allowed.

(Rajeev Ranjan Prasad, J)

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