

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6104 of 2024

Arising Out of PS. Case No.-530 Year-2022 Thana- BUXAR MUFFASIL District- Buxar

Shubhag Bind @ Subhag Choudhary S/O Late Chandrajit Choudhary @
Chandrajit Bind R/O Village- Ijari Mathiya Bin Tola, Ps. Buxar Muffasil,
Dist. Buxar.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Shankar Pathak, Adv.

For the Opposite Party/s : Mr. Narsingh Tanti, APP.

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 19-02-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Buxar Muffasil P.S. Case No. 530 of 2022 dated 11.12.2022 for the offences punishable u/s 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

3. As per the prosecution case, total 20 litres of illicit country made liquor was recovered from the house of the petitioner.

4. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. Local Chowkidar disclosed the name of the petitioner. It is further submitted that the petitioner has no concern with the alleged



recovery. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has two other criminal antecedents as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner by submitting that the recovery has been made from the house of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, the recovery has made from the house of the petitioner, I am of the view that no case for grant of anticipatory bail is made out and the same is disposed of with direction to the petitioner to surrender before the Court below concerned within six weeks from today and pray for regular bail and the learned Court below shall consider the prayer for regular bail of the petitioner on the same day without being prejudiced by this order.

7. The application stands disposed of.

(Chandra Prakash Singh, J)

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