

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7424 of 2024

Arising Out of PS. Case No.-1117 Year-2023 Thana- GAYA MUFASIL District- Gaya

Deepak Chaudhary @ Deepak Kumar Son of Munk Chaudhary @ Munaka Chaudhary R/o vill - Bhadeja, P.S. - Muffasil, Distt. - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aryan Singh, Adv.
For the Opposite Party/s : Mr. Sucheta Yadav, 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 Muffasil P.S. Case No. 1117 of 2023 dated 05.11.2023 for the offences punishable u/s 30(a), 30(c) of the Bihar Prohibition and Excise Act, 2018.

3. As per the prosecution case, total 20 liters 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. The petitioner has identified by local people. 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 one criminal antecedent of similar nature 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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