

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8010 of 2024

Arising Out of PS. Case No.-436 Year-2023 Thana- CHANDI District- Nalanda

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1. ANIRUDH CHOUDHRY @ LATO CHOUDHRY S/O- BALESHWAR CHOUDHRY R/O- VILLAGE- KACHALPUR, P.S.- CHANDI, DIST.- NALANDA.
 2. DHARMBIR KUMAR S/O- LATO CHOUDHARY @ ANIRUDH CHOUDHRY R/O- VILLAGE- KACHALPUR, P.S.- CHANDI, DIST.- NALANDA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Kumar
For the Opposite Party/s : Ms. Sangeeta Sharma

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 26-02-2024 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Chandi P.S. Case No.496/2023 registered for the offence punishable under Sections 30(a), 32, 36 and 41 of Bihar Prohibition and Excise Amendment Act, 2018.

3. Learned counsel for the petitioners submits that petitioner no.2 is a person with clean antecedent and petitioner no.1 has antecedent of four cases and allegation is of recovery of 360 ml. of liquor from Pankaj Kumar. It is next submitted that petitioners were not arrested from the spot as such nothing was recovered from their conscious possession and they came to



be implicated based on confessional statement of Pankaj Kumar in police custody, which does not have any evidentiary value in the eye of law.

4. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

5. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.20000/- (Rupees twenty thousand) each with two sureties of the like amount each to the satisfaction of the learned Vth Additional District and Sessions Judge-cum-Special Judge (Excise), Nalanda at Biharsharif in connection with Chandi P.S. Case No.496/2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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