

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8561 of 2024

Arising Out of PS. Case No.-370 Year-2023 Thana- BHAGWAN BAZAR District- Saran

JHAGARU @ JHAGARU CHAUDHARY S/O HIRA CHOUDHARI R/O-
VILLAGE- NABEEGANJ, P.S.- RIVILGANJ, DIST.- SARAN AT
CHAPRA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh

For the Opposite Party/s : Mr. Ahmad Ali

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 27-02-2024 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Bhagwan Bazar P.S. Case No.370/2023 registered for the
offence punishable under Section 30(a) of Bihar Prohibition and
Excise (Amendment) Act, 2018.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of one case and allegation is of
recovery of 176 litres of liquor from a car. It is next submitted
that petitioner was not arrested from the spot as such nothing
was recovered from his conscious possession and is not the
owner or the driver of the seized vehicle and he came to be
implicated based on confessional statement of co-accused



namely Rakhi Ranjan 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 petitioner.

5. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his 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.5000/- (Rupees five thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge-II-cum-Special Judge, Excise-1st, Saran at Chapra in connection with Bhagwan Bazar P.S. Case No.370/2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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