

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11926 of 2024

Arising Out of PS. Case No.-315 Year-2023 Thana- MANJHI District- Saran

1. Deepak Chaudhary Son of Tarkeshwar @ Bail Chaudhary
2. Butai Chaudhary Son of Late Laxman Chaudhary
Both 1 and 2 are resident of Village- Katokhar, P.S.- Manjhi, District- Saran
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwary, Advocate
For the Opposite Party/s : Mr.Sanjay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 04-03-2024 1. Heard learned counsel for the petitioners as well as
learned APP for the State.

2. The petitioners seek bail in anticipation of his
arrest in a case registered for the offences punishable under
Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

3. The learned counsel for the petitioners submit that
petitioners have antecedent of two cases and allegation is of
recovery of 80 liters of liquor from three bags kept in a bush in a
field.

4. It is next submitted that petitioners were not
arrested from the spot as such nothing was recovered from the
conscious possession and even alleged recovery is from a place
which does not belong to the petitioners and they came to be
implicated by the local people, but then the name of the person



who disclosed the name of the petitioners is not disclosed in the FIR, which cast an aspersion on the case of the prosecution.

5. The learned APP for the State opposes the anticipatory bail application.

6. 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, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Manjhi P.S. Case No.315 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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