

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16604 of 2024

Arising Out of PS. Case No.-217 Year-2023 Thana- GOVINDPUR District- Nawada

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1. Hare Ram Chaudhary S/o- Mahesh Chaudhary Resident of Village- Pipra PS- Govindpur Dist- Nawada
 2. Bipul Chaudhary @ Dipul Chaudhary son of Mahesh Chaudhary Resident of Village- Pipra PS- Govindpur Dist- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Birendra Kumar, Advocate
For the Opposite Party/s : Mr. Nagendra Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 14-03-2024 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 30(a)(d) and 41 of the Bihar Prohibition and Excise Act, 2016.

3. Learned counsel for the petitioners submits that petitioner no. 1 has antecedent of one case and petitioner no. 2 has antecedent of two cases.

4. Allegation is of recovery of 60 litres of liquor along with 800 litres of fermented Jawa Mahua from Pipra dam forest.

5. Learned counsel for the petitioners submits that petitioners were not arrested from the spot, as such, nothing was recovered from their conscious possession and even the alleged



recovery is from a place which is accessible to public at large and does not belong to the petitioners and they came to be implicated at the instance of the Chawkidar with whom they are on an inimical term.

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

7. 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.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Govindpur P.S. Case No. 217 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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