

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22005 of 2024

Arising Out of PS. Case No.-19 Year-2024 Thana- PARBATTa District- Khagaria

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Kare Chaudhary @ Sanjeev Kumar Son of Suchai Chaudhary @ Jaynarayan Chaudhary Resident of Village- Mathurapura, P.S.- Parbatta, District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar, Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vaishnavi Singh, Adv

For the Opposite Party/s : Mr. Lakshmi Kant Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 02-04-2024 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the state.

2. The petitioner apprehends his arrest in connection with Parbatta P.S Case No.19 of 2024 registered for the offence punishable under Section 30(a), of the Bihar Prohibition & Excise Amendment Act.

3. As per the prosecution case, 543.375 litres of foreign liquor was recovered from the pick-up-van.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. No incriminating article has been recovered from the conscious possession of the petitioner. It is submitted that the



petitioner is neither the owner nor the driver of the said vehicle. There is no compliance of Section 100 of the Cr.P.C. The petitioner has clean antecedent.

5. Learned APP for the State Opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of the parties, in the event of his arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs, 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge Excise-II, Khagariya/ concerned court in connection with Parbatta P.S. Case No. 19 of 2024 subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Chandra Prakash Singh, J)

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