

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34657 of 2024

Arising Out of PS. Case No.-23 Year-2024 Thana- RAJNAGAR District- Madhubani

1. Kailash Chaudhary S/o Late Laxman Chaudhary R/o vill - Bhawanipur Bhatsimar, P.S. - Rajnagar, Distt. - Madhubani
2. Pankaj Chaudhary @ Panda S/o Late Laxman chaudhary R/o vill - Bhwanipur, Bhatsimar, P.S. - Rajnagar, Distt. - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gagandeo Yadav,
Mr. Ravi Prakash, Advocates
For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 28-05-2024 Heard Mr. Gagandeo Yadav, learned counsel for the petitioners and Mr. Jharkhandi Upadhyay, learned Additional Public Prosecutor for the State.

2. This application for grant of anticipatory bail arises out of Rajnagar Police Station Case No. 23 of 2024 registered on 03.02.2024 for the offence punishable under Sections 273/34 of the Indian Penal Code and Sections 30(a) of the Bihar Prohibition and Excise Act, 2022.

3. 130 litres of illicit liquor was recovered from a hut made of asbestos belonging to co-accused, Abhishek Sahani.

4. Learned counsel for the petitioners submits that from perusal of the FIR itself, it is evident that the police, on receipt of secret information, arrived at the place of occurrence and recovered 130 litres of illicit liquor from a hut made of asbestos belonging to the co-accused, Abhishek Sahani. Name of these petitioners has been disclosed by the villagers present at the



time of raid that the petitioners were also involved in the trade of illicit liquor while no illicit liquor has been recovered from the conscious possession of the petitioners or from their premises.

5. Regard being had to the submissions made by the parties and the fact that no illicit liquor has been recovered from the conscious possession of the petitioners or from their premises, I am inclined to grant the petitioners privilege of anticipatory bail.

6. Accordingly, let the petitioners, above named, in the event of their arrest or surrender before the Court below within six weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge, Excise Act, Madhubani in connection with Rajnagar Police Station Case No. 23 of 2024 9, subject to the condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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