

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34604 of 2024

Arising Out of PS. Case No.-2672 Year-2017 Thana- GOVERNMENT OFFICIAL COMP.
District- Nawada

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Heera Chaudhary, Son of Parmeshwar Chaudhary, Resident of Village-
Jhandhaul, P.S. Sirdala, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar Arun, Advocate
For the Opposite Party/s : Mr. Sunil Kumar Pandey, Advocate

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 29-05-2024 Heard Mr. Arun Kumar Arun, learned counsel

appearing on behalf of the petitioner and the learned Additional

Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection
with G.O. Case No. 2672 of 2017, registered for the offences
punishable under Section 30(a) of the Bihar Prohibition and
Excise Act, 2016.

3. From the FIR it appears that there is allegation of
recovery of 600 kg of Jawa Mahua from a place adjacent to the
canal. The name of the petitioner has been disclosed by some
unknown persons.

4. Learned counsel appearing on behalf of the
petitioner contended that in fact the petitioner is a man of fair



antecedent and he was not knowing this fact that the bail application which was filed in the year 2019 has been rejected by the Court below; as no order has ever been communicated by his counsel.

5. On the other hand, learned counsel for the State opposed the pre-arrest bail application only on the point of delay.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that the matter is of 2017 and the prayer for bail of the petitioner had already been turned down way back on 24.07.2019, this Court is not acceded to the prayer of the petitioner for anticipatory bail. However, considering the nature of allegation, this Court thinks it proper to observe that in case the petitioner shall surrender before the Court below preferably within a period of four weeks, the learned Court below shall consider the prayer for bail of the petitioner expeditiously and if possible on the same day, without being prejudice by the order of this Court.

(Harish Kumar, J)

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