

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34761 of 2024

Arising Out of PS. Case No.-330 Year-2023 Thana- BAUNSI District- Banka

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Rajnitik Choudhary @ Rajnetik Choudhary son of Nathuni Choudhary
Resident of Village- Bon Bihari Bose Road Howrah, P.S. and Dist.- Howrah
(West Bengal)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dhananjay Pandey

For the Opposite Party/s : Mr.Md. Ataur Rahman

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 25-06-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending his arrest in connection with Baunsi P.S. Case No. 330 of 2023 instituted for the offences under Sections 30(a) and 47 of the Bihar Prohibition and Excise Act.

3. As per prosecution case, there has been recovery of 250.5 liters of foreign liquor from a mini truck.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. Petitioner has no concern with the alleged recovery of liquor. The name of the petitioner has transpired as being owner of the vehicle in question and he has



no knowledge regarding the goods loaded in the vehicle. No incriminating article has been recovered from the conscious possession of the petitioner. It is next submitted that the petitioner has no criminal antecedent. The other co-accused has already been granted regular bail by this Court vide order dated 21.02.2024 passed in Cr. Misc. No. 10489 of 2024. There is no compliance of Section 100 of the Cr.P.C.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/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/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Court below/concerned Court in connection with Baunsi P.S. Case No. 330 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Rudra Prakash Mishra, J)

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