

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38800 of 2024

Arising Out of PS. Case No.-66 Year-2024 Thana- NATWAR District- Rohtas

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Bipin Chaudhary @ Vipin Bihari Chaudhari Son of Sheo Parsan Chaudhary
Resident of Village -Bishunpur Police Station-Semra, OP-Natwar District-
Rohtas At Sasaram

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Riya Singh, Adv.
For the Opposite Party/s : Mr. Nitya Nand Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 13-06-2024 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

02. In the present case, the petitioner is apprehending
his arrest in connection with Natwar P.S. Case No. 66 of 2024
registered for the alleged offence under Section 30(a) of Bihar
Prohibition and Excise (Amendment) Act, 2018.

03. As per prosecution case, police recovered 12 litres
of country made liquor from a bamboo clump and the name of
the petitioner transpired as a person who kept the liquor at that
place.

04. Learned counsel for the petitioner submits that
except for suspicion, there is nothing against the petitioner as
nothing has been recovered from conscious possession of the



petitioner who is not the owner of the place from where the recovery has been shown. The petitioner was not present at the time of recovery and the petitioner is having clean antecedent.

05. Learned APP vehemently opposes the submission made on behalf of the petitioner.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that no recovery has been shown from the conscious possession of this petitioner and the name of the petitioner transpired in completely vague manner and further considering possibility of false implication, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No. 2-cum-Additional District & Sessions Judge, Rohtas at Sasaram/concerned court in connection with Natwar P.S. Case No. 66 of 2024, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions :

(i) One of the bailors will be a close relative of the



petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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