

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40334 of 2024**

Arising Out of PS. Case No.-174 Year-2024 Thana- BARACHATTI District- Gaya

Vijay Chaudhary Son Of Chando Chaudhary Village- Mohanpur, Ps- Fatehpur, Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brijmohan Das, Adv.

For the Opposite Party/s : Mr. Rajendra Singh, APP

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 18-07-2024 Heard learned counsel for the petitioner and learned
counsel for the State.

2. The petitioner apprehends arrest in connection with Barachatty (Mohanpur) P.S. Case No. 174 of 2024 registered under Section 30(a) of Bihar Excise Act.

3. As per prosecution case, 3.750 liters illicit liquor was recovered from the house of the petitioner.

4. Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent and has falsely been implicated in the present case. Further submission is that the house of the petitioner is jointly shared by the other family members. The petitioner was not even present at the spot and he is a man of clean antecedent. It is also submitted that similarly situated co-accused Upendra Chaudhary @ Upendra Choudhary



has already been granted anticipatory bail by a co-ordinate Bench of this Court *vide* order dated 03.07.2024 passed in Cr. Misc. No. 40242 of 2024.

5. Having considered the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000 (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Exclusive Special Excise Court-V, Gaya in connection with Barachatty (Mohanpur) P.S. Case No. 174 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Prabhat Kumar Singh, J)

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