

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39224 of 2024

Arising Out of PS. Case No.-402 Year-2023 Thana- PARAIYA District- Gaya

Atendra Chaudhary @ Sighari Chaudhary S/O Munarik Chaudhary R/O
Village- Bagahi, P.S- Paraiya, Distt.- Gaya.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nafisu Zzoha, Advocate

For the Opposite Party/s : Mr. Md. Mushtaque Alam, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 03-07-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with Paraiya P.S. Case No. 402 of 2023 dated 14.12.2023, instituted for the offence punishable under Sections 30 (a) of the Bihar Prohibition & Excise Amendment Act, 2018.

3. The allegation is of recovery of 20 litres country made Mahua liquor from the house of the petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is further submitted that at the time of seizure/recovery, the petitioner was not present in the house, rather, he was working as a labourer at Chandauli, Mugalsarai (U.P.). It is further submitted that nothing has been recovered from the



conscious possession of the petitioner because he was out of his house on the alleged date of occurrence. It is further stated that there is no independent witness to the alleged occurrence. Lastly, it has been submitted that the petitioner has three criminal cases against him.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and the fact that the alleged recovery of 20 litres country made Mahua liquor is made from the house of the petitioner, I am not inclined to grant anticipatory bail to the petitioner.

7. Accordingly, the anticipatory bail application of the petitioner stands rejected.

(Khatim Reza, J)

Sankalp/-

U		T	
---	--	---	--

