

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41081 of 2024

Arising Out of PS. Case No.-76 Year-2024 Thana- NATWAR District- Rohtas

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1. Tinku Kumar Chaudhary S/O Motilal Chaudhary Resident of Village Asiya Tola, P.S. Natwar Bazar, District Rohtas
 2. Nakesh Kumar Chaudhary @Nakesh Kumar S/O Hanuman Chaudhary Resident of Village Asiya Tola, P.S. Natwar Bazar, District Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashi Kant

For the Opposite Party/s : Mr. Ajay Kumar No. 2

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

- 4 22-08-2024 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.
2. The petitioners apprehend their arrest in a case registered for the offence punishable under Section 30(a) of Bihar Prohibition and Excise Act.
3. Learned counsel for the petitioners submits that petitioners have antecedent of three cases and allegation is of recovery of 15 litres of liquor from a place near the pond. It is next submitted that petitioners were not arrested from the spot as such nothing was recovered from their conscious possession and even alleged recovery is from a place which does not belong to the petitioners and is accessible to public at large and they came to be implicated at the instance of chowkidar, with



whom they are on an inimical term.

4. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

5. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or 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.15000/- (Rupees fifteen thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Natwar P.S. Case No.76/2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

6. It is made clear that the learned trial court before accepting the bail bonds of the petitioners shall verify the criminal antecedents of the petitioners and in the event if it is found that petitioners have antecedent of more than three cases, in that event, the present anticipatory bail order shall not be given effect to.

(Satyavrat Verma, J)

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