

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43798 of 2024

Arising Out of PS. Case No.-75 Year-2024 Thana- NATWAR District- Rohtas

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Sugandhi Chaudhary @ Mahaveer Chaudhary S/o Shivbalam Chaudhary @
Shivbalak Chaudhary R/o V illage-Asiyan Tola, P.S.-Natwar Bazar, District-
Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner : Mr. Shashi Kant, Advocate
For the State : Ms. Anita Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 24-07-2024 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, 50 litres country liquor has been recovered from the *Khalihan* of the petitioner.

4. It is submitted by learned counsel appearing on behalf of the petitioner that from bare perusal of F.I.R. it is apparent that illicit liquor has been recovered from *Khalihan* of petitioner, which is accessible to one and all. No incriminating article has been recovered from the conscious possession of this petitioner. It is further submitted hat petitioner has got one criminal antecedent of similar nature, in which he is already on bail.



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

6. Considering the aforesaid facts and circumstances, quantity of liquor that has been recovered and the fact that recovery has been made from *Khalihan* of petitioner, which is accessible to one and all, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of six weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No. 2-cum-Additional District and Sessions Judge, Rohtas at Sasaram, in connection with Natwar P.S. Case No. 75 of 2024, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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