

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49160 of 2024

Arising Out of PS. Case No.-20 Year-2024 Thana- BABUBARHI District- Madhubani

Babloo Chaudhary @ Babloo Kumar Chaudhary, Son of Sibram Chaudhary
Resident of Vill- Pathrahi, P.S.- Babubarhi, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Murari Narain Chaudhary

For the Opposite Party/s : Mr.Md. Anzarul Haque Sahara

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 24-07-2024 1.Heard learned counsel for the petitioner
and learned APP for the State.

2.The petitioner seeks bail in anticipation
of his arrest in a case registered for the offences
punishable under Sections 272 and 273 of the I.P.C.
and Section 30(a) of the Excise Act.

3.The learned counsel for the petitioner
submits that the petitioner has antecedent of one
case and the allegation is of recovery of 1.7 litres
of liquor from a place adjacent to the Hotel of the
petitioner.

4.The learned counsel for the petitioner
submits that petitioner was not arrested from the



spot, as such, nothing was recovered from his conscious possession and even alleged recovery is from a place, which does not belong to the petitioner and is accessible to public at large and he came to be implicated at the instance of local person, but the name of the person, who disclosed the name of the petitioner is not disclosed in the F.I.R., which cast an aspersion on the case of the prosecution.

5.Learned A.P.P. opposes the anticipatory bail application.

6.Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-II-cum-Special Judge, Excise Act, Madhubani in connection with Babubarhi P. S. Case No.20 of 2024, subject to the



conditions laid down under Section 438(2) of the Cr.P.C.

7.The application stands allowed.

8.It is made clear that the learned trial Court before accepting the bail bonds of the petitioner shall verify the criminal antecedent of the petitioner and in the event, if it is found that petitioner has antecedent of more than one case, in that event, the present anticipatory bail application shall not be given effect to.

(Satyavrat Verma, J)

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