

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62021 of 2024

Arising Out of PS. Case No.-261 Year-2024 Thana- DHAKA District- East Champaran

Rajesh Chaudhary Son of Lalbabu Mahto @ Lalbabu Chaudhary R/O Vill.-
Pachpakari, P.S.- Dhaka, Dist.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar, Advocate

For the Opposite Party/s : Mr. Umeshanand Pandit, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 30-09-2024 Heard learned counsel for the petitioner and the State.

2. Petitioner apprehends arrest in a case registered for the offences punishable under Sections 30(a), 41(1) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, 71.7 litres Nepali liquor and 18 litres beer has been recovered from the cow-shed of petitioner.

4. Learned counsel for the petitioner submits that no incriminating material has been recovered from conscious possession of the petitioner. Recovery has been made from the cow-shed which is an open place, accessible to all. Petitioner has been made accused only on suspicion. Petitioner claims clean antecedent.

5. Considering the aforesaid facts and circumstances



of the case, this anticipatory bail is allowed and it is ordered that let the above named petitioner in the event of his arrest/surrender before the court below within a period of eight weeks from today, 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 Exclusive Special Excise Court No. 1, East Champaran, Motihari in connection with Dhaka (Pachpakari) P. S. Case No. 261 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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