

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71739 of 2024

Arising Out of PS. Case No.-252 Year-2024 Thana- MIRGANJ District- Gopalganj

Shree Bhagwan Chaudhari @ Shri Bhagwan Yadav S/o Late Ambika
Chaudhari R/o Village- Ghosiya, P.S.- Mirganj, Dist.- Gopalganj
... .. Petitioner/s

Versus

The State of Bihar
... .. Opposite Party/s

Appearance :
For the Petitioner/s : Mr. Shubhesh Pandey, Advocate
For the Opposite Party/s : Mr. Upendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 23-10-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Mirganj P.S. Case No. 252 of 2024 dated 23.06.2024 instituted for
the offence punishable under Section 30(a) of the Bihar
Prohibition and Excise Act, 2022.

3. The allegation is of recovery of 47.400 litres country
made liquor from the junk 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 the recovery was made from the
dilapidated and junk house of the petitioner which was situated
behind the house of the petitioner and accessible to any person.
The petitioner has no concern with the seized articles. Learned



counsel for the petitioner further submits that nobody was present at the time of preparation of seizure list of the said articles. It is submitted that the case has been lodged only on the basis of suspicion. Lastly, it has been submitted that petitioner has no criminal antecedents.

5. On the other hand, learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Mirganj P.S. Case No. 252 of 2024, he will be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District & Sessions Judge-IV-cum Exclusive Spl. Excise Court No. II, Gopalganj, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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