

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78789 of 2024

Arising Out of PS. Case No.-110 Year-2024 Thana- SIKARHATTA District- Bhojpur

Guddu Chaudhary @ Gudu Chaudhary S/O Hira Lal Chaudhary R/O Village -
Nonadih, P. S. - Sikarhatta, Dist.- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Navin Kumar Singh

For the Opposite Party/s : Mr.Suresh Prasad Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 27-11-2024 1. Heard the parties.

2. The petitioner apprehends his arrest in connection with
Sikarhatta P.S. Case No. 110 of 2024 dated 11.09.2024
registered under Sections 30 (a) of the Bihar Prohibition and
Excise (Amendment) Act, 2018.

3. As per the prosecution story 80 liters of country made
Mahua liquor has been recovered from two plastic bags kept on
Bajaj Platina Motorcycle bearing Registration No.
BR03AA3797.

4. Learned counsel for the petitioner submits that petitioner
has falsely been implicated and he has not committed any
offence in the manner alleged. He submits that no recovery has
been made from the conscious possession of the petitioner
rather the illicit liquor in question has been recovered from a
motorcycle parked near the bamboo clump situated behind the



house of the petitioner which is an open space accessible to all and sundry. He submits that there is no independent witness to the occurrence and even the seizure list witnesses are police personnel. The petitioner is having no criminal antecedent.

5. Regard being had to the submission made by the parties, taking into consideration the fact that no incriminating article and / or illicit liquor has been recovered from the conscious possession of the petitioner, the liquor has been recovered from bamboo clump which is accessible to everyone and the petitioner is having clean antecedent, I am inclined to grant anticipatory bail to the petitioner.

6. Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge Excise, Excise Court No. II, Bhojpur, Ara in connection with Sikarhatta P.S. Case No. 110 of 2024 subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

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(Anil Kumar Sinha, J)

