

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82683 of 2024

Arising Out of PS. Case No.-443 Year-2024 Thana- SHERGHATI District- Gaya

Sanjay Chaudhary S/o- Late Baran Chaudhary Resident of village- Chitab
Kala PS- Sherghati District-Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brijmohan Das
For the Opposite Party/s : Mr. Mritunjay Kumar Nirala

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 16-12-2024 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Sherghati Police Station Case No. 443 of 2024, disclosing offences under Sections 30(a), (d) of the Bihar Prohibition and Excise Amendment Act, 2022.
3. As per the FIR, 2 liters of mahua liquor was recovered from the house of the petitioner.
4. Learned Counsel for the petitioner submits that the petitioner is having no criminal antecedent and the liquor has not been recovered from the conscious possession of the petitioner but from the house in which other family members also reside.
5. Having regard to the submissions made on behalf



of the parties and taking into consideration the justification given by the petitioner and the fact that small quantity of liquor has been recovered, I am inclined to grant the petitioner privilege of anticipatory bail.

6. This application is, accordingly, allowed.

7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released 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.-V, Gaya, in connection with Sherghati Police Station Case No. 443 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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