

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83151 of 2024

Arising Out of PS. Case No.-249 Year-2020 Thana- JHANJHARPUR District- Madhubani

Santosh Chaupal S/o- Bhola Chaupal Resident of Village- Raghunandanpur
PS- Arariya Sangram, Dist- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramchandra Jha Raman, Adv.
For the State : Mr. Ajay Kumar No. 2, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 11-12-2024 Heard learned counsel for the petitioner and Mr. Ajay
Kumar No. 2, learned APP for the State.

2. The petitioner is apprehending his arrest in connection with Jhanjharpur P.S. Case No. 249 of 2020 instituted for the offences under Sections 279, 272, 273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act.

3. The case of the prosecution is that from an accidental vehicle, altogether 14.400 liters of foreign liquor was recovered. It is alleged that the petitioner was standing near that vehicle.

4. Learned counsel for the petitioner has submitted that petitioner is neither the driver nor the owner of the seized vehicle. From perusal of the FIR, it is clear that only on the



basis of suspicion, petitioner has been implicated in this case. He submitted that petitioner has no concern with the alleged recovery of liquor. Nothing has been recovered from his possession. Moreover, the petitioner having five criminal antecedents out of which four cases is of similar nature.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, in the event of arrest/surrender before the learned Court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, Jhanjharpur, Madhubani in connection with Jhanjharpur P.S. Case No. 249 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure with a further condition that:-

(i) the petitioner shall not indulge in similar nature of cases in future.

(Ashok Kumar Pandey, J)

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