

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86031 of 2024

Arising Out of PS. Case No.-345 Year-2024 Thana- PAROO District- Muzaffarpur

Dhiraj Chaudhary @ Niraj Kumar, Son of Jagranath Chaudhari @ Jainath
Choudhary, Resident of Village-Gorigawa, P.S.-Saraiya, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Abhay Kumar Roy, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 13-12-2024 Heard learned counsel for the petitioner and Mr.
Abhay Kumar Roy, learned APP for the State.

2.The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Paroo P.S. Case No.345 of 2024 instituted for the offence under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act.

3. The case of the prosecution is that from a truck, altogether 4692.705 liters of illicit foreign liquor was recovered. From perusal of the F.I.R., it is clear that police had secret information that the petitioner along with other are indulging the transportation of illegal liquor but they managed to escape at the time of seizure.



4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this case. He has no concern with alleged recovery. Neither he was apprehended on the spot nor anything has been recovered from his possession. His name has surfaced in this case on the basis of suspicion and disclosure by local Chaukidar and villagers. He is having criminal antecedent of one case of similar nature in which he is on bail. It has also been submitted that there is no legal material against the petitioner.

5. In contra, learned APP appearing for the State has opposed the prayer of bail of the petitioner.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Paroo P.S. Case No. 345 of 2024, he will be enlarged on bail 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 Court No.II, Muzaffarpur, subject to the



conditions as laid down under section 438(2) of the Cr.P.C.
with a condition that he will not indulge in similar nature
of the offences in future.

(Ashok Kumar Pandey, J)

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