

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2217 of 2024

Arising Out of PS. Case No.-573 Year-2023 Thana- BARHARA District- Bhojpur

RAKESH CHOUDHARY S/O DILIP CHOUDHARY R/O VILLAGE-
SOHRA, P.S- KRISHNAGARH O.P., DISTT.- BHOJPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar

For the Opposite Party/s : Mr.Choubey Jawahar

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 02-02-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Barhara P.S. Case No. 573 of 2023, dated 01.10.2023 for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2018.

3. As per prosecution case, total 7 litres country made liquor and 150 litres fermented Mahua were recovered from the house of the petitioner.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner has no criminal antecedent as stated in para 3 of the bail petition. No incriminating material has been



recovered from the petitioner.

5. Learned APP for the State has vehemently opposed the prayer for anticipatory bail of the petitioner by submitting that the recovery has been made from the house of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, I am of the view that no case for grant of anticipatory bail is made out and the same is disposed of with direction to the petitioner to surrender before the court below concerned within six weeks from today and pray for regular bail and the learned Court below shall consider the prayer for regular bail of the petitioner on the same day without being prejudiced by this order.

7. The application stands disposed of.

(Chandra Prakash Singh, J)

Ranjeet/-

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