

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5648 of 2024

Arising Out of PS. Case No.-487 Year-2023 Thana- NARHATT District- Nawada

Sidheshwar Chaudhary @ Badha Chaudhary, aged about 65 years, Male, S/O Late Devaki Chaudhary, Resident Of Village/Mohalla- Jarhiya, P.S.- Sitamarhi, District- Nawada.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Krishna Deo Raj, Advocate

For the Opposite Party : Mr. Anand Kishore Choudhary, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 16-02-2024 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Narhat P.S. Case No. 487 of 2023 dated 08.10.2023 registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, 32 litres of country made liquor was recovered out side the house of the petitioner and 10 litres of country made liquor was recovered from the dickey of the motorcycle in question.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has been falsely implicated in this case. There is general and omnibus allegation against the



petitioner. It is submitted that the said motorcycle does not belong to the petitioner. No incriminating article has been recovered from the possession of the petitioner. The petitioner has been made accused in the present case due to dirty village politics. There is no compliance of Section 100 of the Cr.P.C. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail application. No case is made out against the petitioner.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned court concerned, Nawada, in connection with Narhat P.S. Case No. 487 of 2023, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Chandra Prakash Singh, J)

U.K./-

U		T	
---	--	---	--

