

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87109 of 2024**

Arising Out of PS. Case No.-229 Year-2024 Thana- TILAUTHU District- Rohtas

Santosh Chaudhary Son of Shyam Lal Chaudhary @ Mirchai Chaudhary
Resident of Village- Tilauthu, P.S.- Tilauthu, District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashi Kant, Advocate
Mr. Surendra Kumar Mishra, Advocate
For the Opposite Party/s : Mr. Anil Prasad Singh, APP

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

- 4 15-02-2025 1. Heard learned counsel for the parties.
2. The petitioner has preferred this application for grant of anticipatory bail apprehending his arrest in connection with Tilauthu P.S. Case no. 229 of 2024 registered under section 30(a) of Bihar Prohibition and Excise Act, 2016.
3. As per the prosecution case, on secret information having been received about the two accused persons including the petitioner herein having stored liquor and were proposing to carry the same for sale, a raid was conducted. The accused managed to escape but 50 litres of *Mahua* liquor was recovered. The informant further states that on inquiry it transpired from the spy that the two accused, who had managed to escape,



included the petitioner herein.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. No incriminating article has been recovered from his possession. He has no concern with the seized article or the place of its recovery. The cause of his false implication is his antecedent. It is lastly submitted that co-accused Ajay Chaudhary has been enlarged on bail vide order dated 21.9.2024 passed in Cr. Misc. no. 63583 of 2024.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioner in the F.I.R., the petitioner not having been arrested at the spot, no incriminating article having been recovered from his possession and grant of anticipatory bail to co-accused Ajay Chaudhary vide aforesaid order dated 21.9.2024, it is directed that the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Tilauthu P.S. Case no. 229 of 2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount



each to the satisfaction of the learned Exclusive Special Excise
Court no.2-cum-District and Additional Sessions Judge, Rohtas
at Sasaram.

(Partha Sarthy, J)

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