

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87375 of 2024

Arising Out of PS. Case No.-75 Year-2020 Thana- TRIVENIGANJ District- Supaul

Manish Chaudhary @ Manish Kumar Chaudhary Son of Dukhi Lal Chaudhary @ Dukha Chaudhary Resident of Village- Gauravgarh, P.S.- Supaul ,District- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Murari Narain Chaudhary, Adv.

For the Opposite Party/s : Mr. Arvind Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 21-01-2025 1. Heard learned Counsel for the petitioner and learned APP for the State.

2. This application, for grant of anticipatory bail, arises out of Triveniganj P.S. Case No. 75 of 2020, disclosing offences under Section 30(a) of Bihar Prohibition and Excise(Amendment) Act and 25(1-b)a, 26 and 35 of the Arms Act.

3. As per the prosecution case, on 18.03.2020, police got secret information that in the Toyota Corolla Car, illicit liquor was being transported. Upon this information police intercepted the car and arrested two persons and other persons succeeded in fleeing away including the petitioner. Police recovered 159.48 liters of liquor along with one loaded country



made pistol and live cartidge from the arrested co-accused Mannu Kumar.

4. Learned counsel for the petitioner submits that petitioner has no criminal antecedent and he has been made accused in the present case on the basis of disclosure of his name by the arrested co-accused person. The petitioner is not owner of the car and the loaded country made pistol alongwith live cartidge has been recovered from the arrested co-accused. The similarly situated co-accused person Binod Kumar has been granted anticipatory bail by this Court vide order dated 02.09.2021 in Cr. Misc. 33572 of 2021.

5. Regards being had to the submission advanced on behalf of the parties and taking into consideration that fact that petitioner is having no criminal antecedent and his name has transpired on the basis of confessional statement of co-accused and the car from which illicit liquor has been recovered is not owned by the petitioner, I am inclined to grant the petitioner privilege of anticipatory bail.

6. This application is, accordingly, allowed.

7. Let petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks from today, be released on bail on furnishing bail bond of Rs.



10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise, Court No.01 in connection with Triveniganj P.S. Case No. 75 of 2020, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

Suruchi/-

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

