

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5394 of 2019

Arising Out of PS. Case No.-220 Year-2018 Thana- HUSSAINGANJ District- Siwan

Prabhu Chaudhary @ Prabhunath Choudhary Pasi, son of Late Sheo Govind Chaudhary, Resident of Village - Sidhawal, P.S.- Hussainganj, Dist. Siwan

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ramchandra Sahni

For the Opposite Party/s : Mr.Ramesh Chandra

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 13-03-2019 Petitioner seeks bail in anticipation of his arrest in connection with Hussainganj P.S. Case No. 220 of 2018, registered for the offences punishable under Section 414 of the Indian Penal Code and Sections 30(a), 36, 38 and 41(i) of Bihar Prohibition and Excise Act.

Allegation is of recovery of 30.6 litres of liquor from a ditch and seeing police party the petitioner and others started fleeing from there and one of the accused was arrested. It further appears that petitioner is accused in one more case of similar type.

Submission of learned counsel for the petitioner is there is no recovery from his possession or from his house and he has falsely been implicated.

Heard learned APP also, who has opposed the prayer



for anticipatory bail of the petitioner on the ground that petitioner is named in the FIR and he has criminal antecedent.

Having heard both sides and in the facts and circumstances, I am not inclined to grant privilege of anticipatory bail. However, if the petitioner surrenders and makes prayer for regular bail, the same shall be considered on its own merit, without being prejudiced by this order and, if possible, to be disposed of on the same day.

With the above observation, this application is disposed of.

(Vinod Kumar Sinha, J)

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