

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12555 of 2019

Arising Out of PS. Case No.-705 Year-2018 Thana- SIWAN MUFFASIL District- Siwan

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Krishna Chaudhary @ Krishna Kumar Yadav, Son of DiplalYadav @ Diplal
Chaudhari, Resident of Village - Kalinjara Paschim Tola, P.S.- Siwan
Mufassil, District - Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Satyendra Rai

For the Opposite Party/s : Mr.Kumar Ranjit Ranjan

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 01-03-2019 Heard learned counsels for the petitioner and the

State.

The petitioner is apprehending arrest in a case registered
for the offences punishable under Sections 272 and 273 of the
IPC and Section 30(a) of the Bihar Prohibition and Excise Act,
2016.

The prosecution case, as per the written report of Jaishree
Prasad Singh, A.S.I. of Police, dated 10.12.2018, submitted to
the Station House Officer, Mufassil Police Station, is to the
effect that on the same day, the informant received a secret
information with regard to trading of illicit liquor, whereupon
raid was laid when one person managed to escape from the



scene. The villagers suggested the name of the person who escaped from the scene, as the petitioner, Krishna Chaudhari. From the fodder kept behind the cattle shed of the petitioner, 11 litres of country made liquor were recovered.

It is submitted by learned counsel for the petitioner that the recovery has been made from an open area and the petitioner was not apprehended from the place of seizure. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that recovery has been from the fodder behind the cattle shed of the petitioner.

Considering the fact that recovery has been made from an open area, coupled with the statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Addl. District and Sessions Judge-2nd-cum-Special Judge, Excise, Siwan in connection with Siwan Mufassil P.S. Case No. 705 of 2018, subject to the condition as



laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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