

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18267 of 2019

Arising Out of PS. Case No.-26 Year-2019 Thana- HALSI District- Lakhisarai

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1. HARI CHARAN CHAUDHARY aged about 50 years, Male, Son of Late Mishri Chaudhary
 2. Santosh Chaudhary aged about 30 years, Male, Son of Mahendra Chaudhary Both Resident of Village- Bakiyabad, P.S- Halsi, District- Lakhisarai.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar

For the Opposite Party/s : Mr.Parmanand Prasad

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 02-04-2019 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

The petitioners are seeking anticipatory bail in connection with Halsi P.S. Case No. 26 of 2019 registered under Sections 30(a)/32 of the Bihar Prohibition and Excise Act, 2018, pending in the court of learned Additional District & Sessions Judge – II cum Special Judge (Excise), Lakhisarai.

Learned counsel for the petitioners submits that the petitioners are living in joint family house from where the recovery of illicit liquor has been made. It is submitted that in such alleged recovery the petitioners have been falsely implicated.

Learned A.P.P. for the State has opposed the prayer for



anticipatory bail of the petitioners and submits that from the seizure list, it will appear that from the house of both the petitioners five liters of country made liquor were recovered. Learned counsel submits that it is not the case of the petitioners that they are residing outside the village or are otherwise not in possession of the house in question.

Considering the facts and circumstances of the case wherein from the seizure list it appears that the house of both the petitioners were raided and from the house illicit Mahua liquors have been recovered, this court is not inclined to grant privilege of anticipatory bail to the petitioners.

Accordingly, prayer for anticipatory bail of the petitioners is refused.

In case, the petitioners surrender and pray for regular bail in the court below within a period of four weeks from today, their prayer for regular bail shall be considered by the court below on it's own merit without being prejudiced by the order of this court.

(Rajeev Ranjan Prasad, J)

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