

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29910 of 2019

Arising Out of PS. Case No.-242 Year-2018 Thana- BIHTA District- Patna

1. Chathu Yadav Son of Ramchandra Prasad, Resident of Daulatpur, P.S-Bihta, District-Patna.
2. Chungi Lal Yadav, Son of Late Tipan Yadav, Resident of Daulatpur, P.S.-Bihta, District-Patna.

... .. Petitioner/s

Versus

The State of Bihar

.. .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Samir Kumar

For the Opposite Party/s : Mr.Ram Naresh Ray

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 09-05-2019 Heard both sides.

The petitioners apprehend their arrest in Bihta P.S.
Case No.242 of 2018 registered under Section 30(a) of the Bihar
Prohibition and Excise Act.

The informant (S.H.O. of Bihta P.S.) disclosed that he
got information that Kampu Yadav, Chathu Yadav (petitioner
no.1), Chungi Lal Yadav (petitioner no.2) and Shyamnandan
Yadav are indulged in preparing and selling liquor. On such, raid
was conducted by the side of railway line and about 200 litres of
country made liquor is said to have been recovered.

Learned counsel for the petitioners submits that the
informant did not disclose the source of information as to who
disclosed that petitioners were dealing in preparing liquor. The
petitioners never indulged in such illegal activity but it appears



that petitioner no.1, Chathu Yadav had got one criminal case and he is also an accused in Bihta P.S. Case No.24 of 2019 registered under Section 30(a) of the Bihar Prohibition and Excise Act.

Having considered the facts aforesaid, I am not inclined to enlarge petitioner no.1, Chathu Yadav on anticipatory bail. Accordingly, the same is rejected.

So far the case of Chungi Lal Yadav (petitioner no.2) is concerned, there appears no tangible material to show that he was indulged in any activity of preparing country made liquor.

Having considered the facts aforesaid, petitioner no.2, Chungi Lal Yadav, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged 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 Special Judge, Excise Act, Patna in connection with Bihta P.S. Case No.242 of 2018, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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