

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57229 of 2019

Arising Out of PS. Case No.-732 Year-2019 Thana- NAWADA District- Nawada

Mahendra Chaudhary, Son of Meghan Chaudhary Resident of Village-Nanaura, P.S. and District-Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajeev Nayan

For the Opposite Party/s : Mr.Braj Kishore Pd.(App)

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 11-09-2019 Heard learned counsel for the petitioner and learned counsel appearing on behalf of the State.

Petitioner apprehends his arrest in connection with Nawada P.S. Case No.732 of 2019 for the offence punishable under Section 30(a) of the Bihar Prohibition & Excise Act, 2016.

The allegation against the petitioner as per the First Information Report is that upon secret information, police raided the house of of one Raj Kumar Manjhi and recovered total quantity 40 litres of illicit liquor from the house of said Raj Kumar Manjhi and 10 litres of Mahua liquor near the water channel.

Learned counsel appearing for the petitioner submits that petitioner has got no criminal antecedent and has falsely been implicated in this case with oblique motive on the basis of information provided by local people. Learned counsel further submits that the house from where the alleged liquor was recovered



does not belong to the petitioner, as would be evident from the First Information Report itself that house in question was dilapidated. Learned counsel further submits that no illicit liquor has been recovered from the conscious possession of the petitioner or from the premises belonging to the petitioner.

After having heard learned counsel for the petitioner as well as learned counsel appearing on behalf of the State and taking into consideration the fact that petitioner has got no criminal antecedent and no illicit liquor has been recovered either from his possession or from the premises belonging to the petitioner, as such, I am inclined to grant anticipatory bail to the petitioner.

Accordingly, the petitioner, above named, is directed to surrender before the learned Court below within a period of four weeks from today and in the event of surrender by him, he shall be released on anticipatory bail by the Court below upon furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J.-II-cum-Special Judge, Nawada, subject to the condition as mentioned under Section 438 (2) of Cr.P.C.

(Anil Kumar Sinha, J)

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