

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58780 of 2019

Arising Out of PS. Case No.-228 Year-2019 Thana- SIWAN MUFFASIL District- Siwan

Jaggu Chaudhary @ Jagu Chaudhary Son of Ram Kailash Chaudhary
Resident of Village-Siyarimathia, P.S.-Siwan Muffasil, District-Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Humayou Ahmad Khan, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 18-09-2019 Heard learned counsel for the petitioner and learned
APP representing the State.

The petitioner apprehends his arrest in connection with Siwan Mufassil P.S. Case No. 228 of 2019, registered under Sections 272 and 273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act.

The allegation against the petitioner is that police got secret informant that petitioner was keeping illicit liquor near the canal bridge and was selling the same, arrived at the place of occurrence and on search recovered 17.100 liters of illicit liquor from near the canal bridge.

Learned counsel for the petitioner submits that the illicit liquor has not been recovered from the conscious possession and from the premise of the petitioner and the same



has been recovered from public place. He further submits that on the basis of secret informant, the police has dragged the petitioner in this offence.

After having heard learned counsel for the parties and taking into consideration the fact that illicit liquor has not been recovered from the conscious possession or from the premises of the petitioner, I am inclined to grant anticipatory bail to the petitioner.

This application is, accordingly, allowed.

Let the petitioner, abovenamed, in the event of arrest or surrender before the court below within a period of four weeks from today, be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned 2nd Additional Sessions Judge-cum-Special Judge Excise, Siwan in connection with Siwan Muffasil P.S. Case No. 228 of 2019; subject to condition as laid down hereinabove and under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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