

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58669 of 2019

Arising Out of PS. Case No.-68 Year-2019 Thana- DHANSOI District- Buxar

SURESH CHAUDHARY Son of Shivmuni Chaudhary Resident of Village -
Itarhiya, P.S.- Dhansoi, Distt - Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajeev Ranjan

For the Opposite Party/s : Mr.Suresh Prasad Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 17-09-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises out of Dhansoi Police Station Case No. 68 of 2019, disclosing offence under Section 30 (a) of the Bihar Prohibition and Excise Act, 2016.

The allegation against the petitioner, as per the First Information Report, is that the police, on secret information, intercepted a pick-up van, bearing registration no. UP 63AT-0544 and upon seeing the police, seven persons sitting on the said pick-up van, including the petitioner, left the van near a school and fled away. The police seized the pick-up van and recovered 1797.120 litres of illicit liquor. The name of the petitioner and others have been disclosed by the villagers.



Learned Counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case and no illicit liquor has been recovered from the conscious possession of the petitioner or the vehicle belonging to the petitioner. He further submits that the petitioner has no criminal antecedent. He, relying on the First Information Report, submits that the petitioner is not the owner/driver of the said van and the owner of the said van has been made accused in the First Information Report itself.

After having heard learned Counsel for the parties concerned and taking into consideration the fact that the petitioner has got no criminal antecedent and no illicit liquor has been recovered from the conscious possession of the petitioner or the vehicle belonging to the petitioner, I am inclined to grant the petitioner privilege of anticipatory bail.

This application is, accordingly, allowed.

Let the petitioner, Suresh Chaudhary, in the event of his arrest or surrender before the Court below within four weeks, be released 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 2nd Additional Sessions Judge -cum- Special Judge, Excise, Buxar, in connection with Dhansoi



Police Station Case No. 68 of 2019, subject to the condition laid
down under Section 438 (2) of the Code of Criminal Procedure.

Prabhakar Anand/-

(Anil Kumar Sinha, J.)

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