

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59502 of 2019

Arising Out of PS. Case No.-602 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Jehanabad

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Raju Chaudhary @ Rajiv Chaudhary, Son of Sri Kartik Chaudhary Resident
of Village - Godasar, P.S.- Ghosi, Dist.- Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Indu Shekhar Dwivedi
For the Opposite Party/s : Mr. Satyendra Pd., APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 19-09-2019 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

Petitioner apprehend his arrest in connection with
Excise Case No.602 of 2019, for the offence punishable under
Section 30(a) (E) of Bihar Prohibition and Excise Act.

The allegation against the petitioner as per the
prosecution report is that Excise official raided near the house of
the petitioner and recovered a total quantity of five litres of
illicit country-made liquor and 200 k.g. of fragmented Mahua
outside the house of the petitioner from a parti land.

Learned counsel for the petitioner submits that
petitioner has not committed any offence under the Excise Act
inasmuch as from perusal of the prosecution report and the



seizure list, it would be evident that the illicit liquor has been recovered from a parti land situated outside of the house of the petitioner and not from his conscious possession.

Having regard to the submissions made by the parties and taking into consideration the fact that illicit liquor has not been recovered from inside the house of the petitioner and the petitioner has got no criminal antecedent, 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 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 Additional Sessions Judge 2nd, Jehanabad, subject to the condition as mentioned under Section 438 (2) of Cr.P.C.

(Anil Kumar Sinha, J)

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