

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71319 of 2019**

Arising Out of PS. Case No.-291 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- Rohtas

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Chinku Yadav @ Chinki @ Vikash Kumar @ Chanki Son of Guput Yadav @
Gupteshwar Singh Resident of Village - Jamuhar, P.S.- Dihari, District-
Rohtas (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Lal Bahadur Singh

For the Opposite Party/s : Mr.Kanhaiya Kishore

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**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER**

2 16-11-2019 Heard the learned counsel for the petitioner and the

learned APP for the State.

The petitioner apprehends his arrest in connection
with Excise P.S. Case No. 291 of 2019 for the offence
punishable under Section 30(A) of Bihar Excise (Prohibition)
Amendment Act, 2018.

The allegation is regarding recovery of illicit liquor
from an abandoned house situated near a stone crushing
machine and the police is said to have received information that
the petitioner and one co-accused person, namely, Manoj Tiwari
had fled away from the site after seeing the police.

The learned counsel for the petitioner submits that the
petitioner has no concern with the recovered article, the



premises in question does not belong to the petitioner and as far as the petitioner is concerned, no recovery has been made from his house. It is further submitted that similarly situated co-accused Manoj Tiwari has already been granted bail by a co-ordinate Bench of this Court by order dated 01.07.2019 passed in Cr. Misc. No. 40167 of 2019. The petitioner is stated to be having clean antecedent.

Having regard to the facts and circumstances of the case, in the event of arrest or surrender in the court below within a period of four weeks from today, the petitioners above named shall be released on anticipatory bail on furnishing bail- bonds of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of learned 2nd Additional District & Sessions Judge-cum- Special Judge (Excise), Rohtas in connection with Excise Case No. 291 of 2018, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

Tiwary/-

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