

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2599 of 2020

Arising Out of PS. Case No.-351 Year-2019 Thana- KAUWAKOL District- Nawada

JAWAHAR CHAUDHARY Son of Saryug Chaudhary Resident of Village -
Madhurapur, P.S.- Kauwakol, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Krishna Deo Raj

For the Opposite Party/s : Mr.Kalyan Shankar

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 05-03-2020 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Kauwakol P.S. Case No. 351 of 2019, registered for the offence punishable under section 30(a) of the Bihar Prohibition and Excise Act.

As per allegation in the FIR, on information having been received, the informant reached the house of the petitioner. No person was found there. It is stated that from inside the room in the house of the petitioner, five litres of mahua liquor was recovered from a plastic gallon, which was seized in presence of two independent witnesses.

It is submitted by learned counsel for the petitioner



that the allegations as levelled in the FIR on the face of it are not true for the reason that inspite of the alleged raid taking place in the broad day light at 9.25 A.M., from the FIR it transpires that no one was present in the house of the petitioner and recovery of five litres mahua liquor is alleged. It is further submitted that petitioner has no criminal antecedent.

Having heard learned counsel for the parties and in the facts and circumstances of the case specially the fact that the petitioner has no criminal antecedent, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of six weeks from today and in the event of his arrest or surrender in connection with Kauwakol P.S. Case no. 351 of 2019, he will be enlarged 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 A.D.J.-II-cum-Special Court, Nawada subject to the condition as laid down under section 438(2) of the Cr.P.C.

(Partha Sarthy, J)

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