

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5154 of 2020

Arising Out of PS. Case No.-325 Year-2019 Thana- MAHNAR District- Vaishali

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1. Arvind Chaudhary @ Arjun Chaudhary, S/o Hemchandra Chaudary, R/o village- Javaj, Word No.-2, P.S.- Mahnar, District- Vaishali
 2. Jawahar Chaudhary, S/o Late Saryug Chaudhary, R/o village- Javaj, Word No.-2, P.S.- Mahnar, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mr.Sanjay Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 11-06-2020 Heard learned counsel for the petitioners and the learned
A.P.P. for the State.

The petitioners apprehend their arrest in connection with Mahanar P.S. Case No. 325 of 2019 registered under Section 30(a) of the Bihar Excise Act, pending in the court of Additional Sessions Judge-II-cum-Excise Court, Vaishali at Hajipur.

The accusation is that on receiving secret information about keeping the illicit liquor by Nagina Chaudhary and Ashok Chaudhary at village- Javaj, the informant along with other police personnel reached near the house of Nagina Chaudhary, Ashok Chaudhary, Jawahar Chaudhary (petitioner no.2) and Arvind Chaudhary (petitioner no.1). On seeing the police party, all started to flee away from their house, while on chased, they succeeded to flee



away. On search, 9 litres country made liquor kept in different plastic gallons recovered from the house of Arbind Choudhary (petitioner no.1) whereas 11 litres country made liquor kept in different plastic gallon recovered from the house of Jawahar Chaudhary (petitioner no.2).

Learned counsel for the petitioners submits that both petitioners were not apprehended at the spot rather both petitioners have falsely been implicated in the present case due to dirty village politics. Further submission is that both petitioners have no criminal antecedent.

Having considered the facts and circumstances of the case and the nature of allegation against the petitioners, I am not inclined to grant anticipatory bail to the petitioners. Accordingly, their prayer for grant of anticipatory bail stands rejected. The petitioners are directed to surrender before the trial court within four weeks and pray for regular bail, which would be considered by the trial court in accordance with law without being prejudiced by the order of this Court.

Bhardwaj/-

(Rajendra Kumar Mishra, J)

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