

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8726 of 2020

Arising Out of PS. Case No.-188 Year-2018 Thana- BALIYA District- Begusarai

SHRAWAN KUMAR @ KARELAL CHAUDHARY Son of Ram Naresh
Chaudhary Resident of Village - Madhusudanpur, P.S.- Ballia, District -
Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shree Niwas Singh

For the Opposite Party/s : Mr.Asha Devi

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 28-02-2020 Heard the learned counsel for the petitioner and the
learned APP for the State.

This is an application for grant of anticipatory bail in
connection with Balia P.S. Case No. 188 of 2018, registered for
the offence punishable under Sections 30(a), 32, 41(1) of the
Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 1650 liters of
illicit liquor from a maize field, however, the petitioner is not
named in the FIR. It is alleged that subsequently, the name of
the petitioner has transpired during the course of investigation to
be the person, who is stated to have made conversation on
mobile phone with the co-accused persons.

The learned counsel for the petitioner has submitted that



the petitioner is innocent and he has been falsely implicated in the present case and he is also having a clean antecedent. It is also submitted that the petitioner is not named in the FIR and he has been falsely implicated in the present case and the fact is that similarly situated co-accused persons have already been granted anticipatory bail by coordinate Benches of this Court by orders dated 22.8.2019 and 20.11.2019 passed in Criminal Miscellaneous No. 38791 of 2019 and Criminal Miscellaneous No. 74865 of 2019.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner, as also taking into account the parity of the case of the petitioner with those of the co-accused persons, who have already been granted anticipatory bail by coordinate Benches of this Court, I deem it fit and proper to admit the petitioner to the privilege of anticipatory bail.

Accordingly, the petitioner is directed to be enlarged on anticipatory bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional



Sessions Judge-II-cum-Special Judge, Excise Act, Begusarai in connection with Balia P.S. Case No. 188 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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