

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6624 of 2020

Arising Out of PS. Case No.-209 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- West Champaran

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CHUNNU CHAURASIYA Son of Late Mohan Chaurasiya @ Mahanth Prasad Chaurasiya Resident of Village - Ahwar Shekh, Tiwari Tola, P.S. - Majhauriya, District - West Champaran, Bettiah.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey, Adv.

For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 11-06-2020 Heard both sides through Video Conferencing.

The petitioner apprehends his arrest in Excise Case No.209 of 2019 registered under Section 30(a) of Bihar Prohibition and Excise act.

The learned counsel for the petitioner submits that 22.62 litres of liquor is said to have been recovered from under the earth situated behind the house of the petitioner. It is submitted that from perusal of Annexure-1, Page 7 of the forwarding report, it would appear that the petitioner was apprehended and he was forwarded to the Court. It is submitted that from perusal of Page 7, it appears that Excise officials have filled up the form and they were bent upon to implicate the petitioner in a false case. Nothing has been recovered from the



conscious possession of the petitioner.

It appears from perusal of Annexure-1, Page 7, the forwarding report of the seizure list, that the Excise official apprehended the petitioner on 15.11.2019 at 6 P.M. with the seized articles but the petitioner was never arrested. The prosecution report shows that the petitioner managed to flee away after seeing the Excise official. Thus, I find that petitioner deserves anticipatory bail. Accordingly, the prayer for anticipatory bail of the petitioner is allowed.

Taking into consideration the facts aforesaid, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Bettiah, West Champaran in connection with Excise Case No.209 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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