

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9495 of 2020

Arising Out of PS. Case No.-450 Year-2019 Thana- CHANDI District- Nalanda

RAMITAR CHOUHAN @ LOHDHI CHOUHAN @ LODHI CHOUHAN
Son of Ayodhya Chouhan Resident of Village - Cherui Beldari, P.S.-
Noorsarai, Distt - Noorsarai, Distt – Nalanda. Petitioner/s
Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajit Ranjan Kumar, Advocate
For the Opposite Party/s : Mr.Raj Ballabh Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 03-03-2020 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Chandi Police Station Case No. 450 of 2019, disclosing offence under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The allegation against the petitioner as per the FIR is that the police intercepted a motorcycle and upon seeing the police, two persons sitting on the motorcycle fled away after leaving the motorcycle and upon search police recovered a total quantity of 20 litres of illicit liquor kept in two gallons.

Learned Counsel for the petitioner submits that petitioner has falsely been implicated in this case mainly on the basis of the fact that his name was disclosed by the local people. Learned Counsel further referring to Paragraphs 8 and 9 of this



application that motorcycle which was also seized by the police does not belong to this petitioner. Learned Counsel also submits that petitioner has got no criminal antecedent.

Having regard to the submissions made on behalf of the parties and taking into consideration the fact that no illicit liquor has been recovered from the conscious possession of the petitioner or from the vehicle belonging to him and the petitioner has got no criminal antecedent, I am inclined to grant the petitioners privilege of anticipatory bail.

This application is, accordingly, allowed.

Let the petitioner, above named, in the event of his arrest or surrender before the court below within four weeks, be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount to the satisfaction of learned Additional Session Judge-cum-Special Judge, Nalanda at Bihar Sharif in connection with Chandi Police Case No. 450 of 2019, subject to condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

Niraj/-

U		T	
---	--	---	--

