

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9736 of 2020

Arising Out of PS. Case No.-14 Year-2020 Thana- CHAINPUR District- Kaimur (Bhabua)

1. RAVINDRA CHAUHAN S/o Shivmuni Chauhan Resident of Village- Medh, P.S.- Chainpur, Distt- Kaimur at Bhabua.
2. Bali Noniya S/o Nachaku Nonia Resident of Village- Medh, P.S.- Chainpur, Distt- Kaimur at Bhabua.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajani Kant Pandey
For the Opposite Party/s : Mr.Renu Kumari

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 02-03-2020 Learned counsel for the petitioner is permitted to
make necessary correction in the petition.

Heard learned counsels for the parties.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 272 and 273 of the IPC and Sections 30(a), 37(i)(ii) of the Bihar Prohibition and Excise (Amendment) Act, 2018 and Sections 3 and 4 of Bihar Prohibition of Mahua Flower Act, 2006.

The prosecution case is that during the course of raid on secret information that one person is carrying liquor on Luna motorcycle, the informant along with the other police officials proceeded to verify the information when they saw a Luna motorcycle coming when co-accused Mahendra Chauhan and Chetharu Kurmi were arrested. The name of the petitioner sprang up in the statement of apprehended co-accused and from the egg stall



of petitioner no. 1, 1.400 litres of liquor and from the stall of petitioner no. 2, 1.00 litre of liquor were recovered.

It is submitted by learned counsel for the petitioners that the recovery has actually been made from an open area and the petitioners have falsely been roped in the present case.

Considering the nature of accusation and the recovery, this Court is not inclined to grant anticipatory bail as the same is not maintainable, however keeping in view the quantity of recovery, it is a case for consideration of the prayer for regular bail by the learned Court below in case the petitioner surrenders within a period of six weeks and prays for the same in connection with Chainpur P.S. Case No.14 of 2020 pending in the Court of learned 3rd Additional Sessions Judge-cum-Special Judge, Excise Act, Kaimur at Bhabua.

(Dinesh Kumar Singh, J)

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