

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11328 of 2020**

Arising Out of PS. Case No.-301 Year-2019 Thana- TAJPUR District- Samastipur

CHHOTU RAI @ CHOTU RAY Son of Lal Babu Rai @ Lal Bahadur Roy @
Lal Bahadur Ray @ Lalo Ray Resident of Village- Gangapur, P.S.- Tajpur
(Waini O.P.), District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjan Kumar Singh

For the Opposite Party/s : Mr. Nawal Kishore Prasad

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER**

2 11-06-2020 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor representing the State, through
Video Conferencing.

This application for grant of anticipatory bail arises
out of Tajpur (Waini O.P.) Police Station Case No. 301 of 2019,
disclosing offence under Section 30 (a) of the Bihar Prohibition
and Excise Act, 2016.

The allegation against the petitioner, as per the First
Information Report, is that the police, on the basis of secret
information that the petitioner along with others have kept illicit
liquor, raided the Additional Primary Health Centre, Gangapur,
but the petitioner and others, taking advantage of darkness,
succeeded in fleeing away and the police recovered 880.56 litres



of illicit liquor from the said Additional Primary Health Centre.

Learned Counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged. He further submits that the illicit liquor has not been recovered from the conscious possession or the premises belonging to the petitioner. He further submits that the Additional Primary Health Centre is a public place and is accessible to all and sundry.

After having heard learned Counsel for the parties concerned and taking into consideration the fact that illicit liquor has not been recovered from the conscious possession or the premises belonging to the petitioner, I am inclined to grant the petitioner 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 six weeks from today, be released on bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge -cum- Special Judge, Excise, Samastipur, in connection with Tajpur (Waini O.P.) Police Station Case No. 301 of 2019, subject to the condition laid down under Section



438 (2) of the Code of Criminal Procedure.

It is made clear that at the time of furnishing bail bonds, all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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