

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19153 of 2020**

Arising Out of PS. Case No.-771 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Gaya

=====

Jitendra Chaudhary aged about 32 years, male, son of Binda Chaudhary resident of village Alipur, P.S Buniyadganj, District Gaya.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Vinod Kumar, Adv.
For the Opposite Party/s : Dr Ajeet Kumar, APP.

=====

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 21-07-2020 Heard learned counsel for the petitioner and learned
APP for the State, through video conferencing.

The petitioner has filed the instant application for grant of anticipatory bail apprehending his arrest in connection with Excise Case P.S. Case no. 771 of 2019 registered under sections 30(a) and 37(b) of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, on secret information having been received, a raid was conducted. It is stated that while the petitioner managed to escape, co-accused Sunil Chaudhary was arrested in an intoxicated state. It is further submitted that 20 litres of country liquor was recovered from the lane by the side of the house of the petitioner.

It is submitted by learned counsel for the petitioner that neither the petitioner was arrested at the spot nor has any



incriminating article been recovered from his possession. From the seizure list itself the place of recovery is stated to be a lane, accessible to the public, by the side of the petitioner's house. The petitioner has no criminal antecedent.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case including the place of recovery of the illicit liquor and the petitioner not having any criminal antecedent, the Court is inclined to enlarge the petitioner on anticipatory bail. The petitioner is directed to surrender in the court below within a period of eight weeks from today and in the event of his arrest or surrender in connection with Excise Case No. 771 of 2019, he shall be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise, Gaya subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Partha Sarthy, J)

sushma/-

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

