

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.16387 of 2020**

Arising Out of PS. Case No.-23 Year-2020 Thana- TEKARI District- Gaya

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JAGLAL CHAUDHARY S/o Shyamlal Chaudhary R/o village-
Mokarimchak, P.S.- Tekari, District- Gaya

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Prithivi Raj Singh, Advocate

For the Opposite Party/s : Mr.Pushpa Sinha, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 12-06-2020 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner in the present case is seeking anticipatory
bail in connection with Tekari P.S. Case No. 23 of 2020 registered
for the offence punishable under Section 30(a) of Bihar
Prohibition & Excise Act.

Learned counsel for the petitioner submits that the
petitioner has been made accused in this case showing recovery
of 14 liters of mixture of Mahua flower without any utensils
and as such the allegation that the petitioner is involved in
manufacturing of illicit liquor is false and no wine has been
recovered from the house of the petitioner. It is submitted that
the petitioner has no criminal antecedent.

Learned APP for the State has opposed the prayer for



anticipatory bail of the petitioner.

Considering the facts and circumstances of the case wherein the allegation against the petitioner is that in course of raid from his house 14 liters of mixture of Mahua flower was found and save and except that there is no other material showing that any country made liquor was recovered from his possession or any other articles or utensils were found to indicate that the petitioner was engaged in manufacturing of country made liquor and further that the petitioner has no criminal antecedent, let the petitioner above named in the event of his arrest or surrender within a period of four weeks from today in connection with Tekari P.S. Case No. 23 of 2020 be released on bail on furnishing of bail bonds of Rs. 25,000/- (twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge Excise, Gaya, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade



him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

This application stands allowed.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

