

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No. 18809 of 2020

Anil Chaudhari S/o Late Kailash Chaudhari resident of village
Bhadeja P.S. Mufassil District Gaya.

.....Petitioner

Versus

The State of Bihar

.....Opposite Party

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Appearance

For the Petitioner : Mr. Vinod Kumar, Advocate

For the State : Mr. Umeshanand Pandit, APP

CORAM : HONOURABLE MR. JUSTICE PARTHA SARTHY

Oral Order

2 20.7.2020

Heard learned counsel for the petitioner and learned APP for the
State through video conferencing.

The instant application for anticipatory bail has been filed by the
petitioner apprehending his arrest in connection with Excise Case no. 25 of
2020 registered under section 30(a) of the Bihar Prohibition and Excise Act,
2016.



As per the prosecution case, on secret information having been received, a raid was conducted at the south east corner of the village. It is stated that 1400 kgs of mahua were recovered. It is further stated that prior to the raiding party reaching the place of occurrence, the accused persons had managed to escape.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. Except for being named as one of the three accused in the column of accused persons, there is no other material against the petitioner as to how he has been connected with the offence in question. It is submitted that the petitioner has no concern with the seized article nor with the land from which it is stated to be recovered. He has no criminal antecedent.

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

Having heard learned counsel for the parties and in the facts and circumstances of the case including the petitioner not having any criminal antecedent, the Court is inclined to enlarge the petitioner on 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. 25 of 2020 he will 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 the learned Special Excise Judge, Gaya subject to the conditions as laid down in section 438(2) of the Criminal Procedure Code.

(Partha Sarthy, J)

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