

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18610 of 2020

Arising Out of PS. Case No.-484 Year-2019 Thana- GAURICHAK District- Patna

Jay Lal Chaudhary @ Jai Chaudhary S/o Basudeo Chaudhary Resident of
Village- Kansari, P.S.- Gourichak, Distt- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha, Adv.

For the Opposite Party/s : Mr.Akbar Ali, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 12-06-2020 Heard learned counsel for the petitioner and learned A.P.P
for the State, through video conferencing.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Gourichak P.S. Case no. 484 of 2019 registered under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per allegation in the F.I.R., on secret information having been received about the petitioner being involved in manufacture of country liquor, a raid was conducted on the house of the petitioner. It is stated that 10 litres of Mahua liquor was recovered from a plastic can in the *Verandah* of the petitioner's house and none of the occupants of the house were present. A seizure list was prepared and F.I.R. was registered.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. No recovery whatsoever has taken place from the *Verandah* of his house as alleged in the F.I.R. which would also be evident from



perusal of the certified copy of the seizure list which is part of the F.I.R. Pointing to Clause 2 of the said list it is submitted that the place of seizure is stated to be *Kansari*, which happens to be the village of the petitioner. The petitioner has no criminal antecedent.

The application for bail is opposed by learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case including that fact that the petitioner has no criminal antecedent, this 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 Gourichak P.S. Case no. 484 of 2019, he will be enlarged on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of the learned Special Judge (Excise), Patna, subject to the conditions as laid down in section 438(2) of the Cr.P.C.

(Partha Sarthy, J)

Bibhash/-

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

