

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21361 of 2020

Arising Out of PS. Case No.-310 Year-2018 Thana- BOCHAHAN District- Muzaffarpur

CHONHAR RAI @ INDRAJEET KUMAR Son of Baijnath Rai Resident of
Village - Unsar, Tola Parati, P.S. - Bochahan, District - Muzaffarpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ganesh Prasad Singh, Advocate

For the Opposite Party/s : Mrs.Asha Kumari, APP.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 18-09-2020 Heard learned counsel for the petitioner and learned
learned Additional Public Prosecutor for the State.

The petitioner is apprehending arrest in connection with Bochahan P.S. Case No. 310 of 2018 for the offenses under Sections 30(a), 38, 41, 44, 45, 48 of the Bihar Prohibition & Excise Act, 2016.

In the instant case 1497.96 liters of liquor was seized.

Learned counsel for the petitioner submits that petitioner has no criminal antecedent. The name of the petitioner was disclosed by the person who was arrested along with the liquor. In fact, no one has alleged that the petitioner was seen at the place of occurrence. Nothing was recovered from the house of the petitioner and the truck from which the liquor was seized does not belong to the petitioner.



Considering the fact that the petitioner has no criminal antecedent and he is neither owner of the truck nor he was seen at the spot as submitted by the petitioner, the Court is inclined to grant anticipatory bail to the petitioner on deposit of Rs. 01,00,000/- (One lac) cash.

Let the petitioner, above named, in the event of arrest/surrender within a period of one month be enlarged on bail on furnishing bail bond of Rs. 01,00,000/-(One lac) with two sureties of the like amount each to the satisfaction of the Special Judge (Excise Act), Muzaffarpur in connection with Bochahan P.S. Case No. 310 of 2018, subject to the condition as laid down under Section 438(2) Cr.P.C. and further subject to deposit of Rs. 01,00,000/- (One lac) cash.

The deposit of cash of Rs. 01,00,000/- (One lac) by the petitioner shall abide by the final outcome of the pending criminal case.

(Anil Kumar Upadhyay, J)

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