

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25017 of 2020

Arising Out of PS. Case No.-45 Year-2020 Thana- MUSAHARI District- Muzaffarpur

GUDDU CHAUDHARY Son of Shivnath Chaudhary Resident of Village-
Raghunathpur Jagdish, P.S.- Mushahari, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hari Kishore Thakur, Advocate

For the Opposite Party/s : Mr. Pranav Kumar A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 15-10-2020 Heard Mr. Hari Kishore Thakur, learned counsel for
the petitioner and Pranav Kumar, learned Additional Public
Prosecutor appearing for the State through video conferencing.

Petitioner apprehends arrest in connection with
Mushahari P.S. Case No. 45 of 2020 registered for the offences
punishable under Sections 272, 273 of the Indian Penal Code,
1860, Sections 30(a) and 36 of the Bihar Prohibition and
Excise Act, 2016.

The allegation against the petitioner as per the First
Information Report is that the Police recovered a total quantity
of 156.600 litres of illicit foreign liquor from the hut situated
behind the house of the petitioner.

Learned counsel for the petitioner submits that
petitioner has not committed any offence in the manner alleged



and he has falsely been implicated in this case with oblique motive. Learned counsel further submits that as per the First Information Report the petitioner is resident of Raghunathpur Jagdish whereas in the seizure list the place of recovery has been shown to be Raghunathpur Khurd. Learned counsel also submits that address of the seizure list witnesses will go to show that they are resident of different village.

Having heard learned counsel for the parties and taking into consideration the materials on record, the fact that from perusal of the First Information Report and the seizure list, it appears that the illicit foreign liquor has been recovered from the hut situated behind the house of the petitioner and in view of the Full Bench Judgment reported in 2019 (2) PLJR 1089, I am not inclined to exercise my discretion to grant anticipatory bail to the petitioner.

Accordingly, the prayer for anticipatory bail of the petitioner stands rejected.

(Anil Kumar Sinha, J)

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