

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28221 of 2020

Arising Out of PS. Case No.-92 Year-2019 Thana- VAISHALI District- Vaishali

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JAI KUMAR CHAUDHARY Son of Babulal Chaudhary Resident of village-
Muza Patrahia, P.S.- Saraiya, District- Muzaffarpur.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Shivjee Singh
For the Opposite Party/s : Mr. Ram Priya Sharan Singh

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 04-12-2020 Heard Mr. Shivjee Singh, learned counsel for the

petitioner and Mr. Ram Priya Sharan Singh, learned APP for

the State.

The petitioner seeks bail in anticipation of his

arrest in connection with Vaishali P.S. Case No. 92 of 2019

instituted for the offences under Section 30(a) of the Bihar

Excise and Prohibition Act, 2018.

Huge quantity of liquor is said to have been

recovered from the Bolero pick up van of the petitioner as

also from a field.

Learned counsel for the petitioner submits that the

recovery is not from his personal possession and, therefore,



he is entitled to be released of anticipatory bail.

Regard being had to the nature of accusation and quantum of recovery, I am not inclined to grant anticipatory bail to the petitioner as the offence under the Excise Act is clearly made out from the facts of the case.

The anticipatory bail petition is dismissed.

However, if the petitioner surrenders before the court below and seeks bail, his petition shall be considered on its own merit without being prejudiced by the fact that the present petition has not been entertained.

(Ashutosh Kumar, J)

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