

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25066 of 2020

Arising Out of PS. Case No.-128 Year-2020 Thana- RAHUI District- Nalanda

Chandu Chaudhary @ Chandeshwar Chaudhary Son of Ramu Chaudhary
Resident of Village- Mananki, P.S.- Rahui, District- Nalanda.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Pramod Kumar Sinha, Advocate
For the Opposite Party : Mr. Parmanand Kumar, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 06-11-2020 Heard learned counsel for the petitioner and the State
via Video Conferencing.

Petitioner apprehends arrest in a case registered for
the offences punishable under section 30a of the Bihar
Prohibition and Excise Act.

Total 10 liters of country made liquor is said to have
been recovered from the house of the petitioner in course of
raid, the petitioner managed to flee away from the spot.

Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in this case due to dirty
village politics. In paragraph 6 of the bail petition, the petitioner
avers that the Mukhia of Gram Panchayat, Nakatpura has issued
a certificate to the effect that the petitioner is residing at
Kodarma (Jharkhand) and he is serving his duty in Animal
Protection Department, Kodarma. Petitioner has got no criminal
antecedent.

Learned counsel for the State opposes the prayer for
bail submitting that as the alleged recovery of illicit liquor has



been made from the petitioner’s house, the instant bail application is not maintainable under section 76 of the Bihar Prohibition and Excise Act.

In that view of the matter, prayer for bail of the petitioner is refused with direction to surrender and seek regular bail which would be considered and disposed of on its own merit without prejudice.

(Prabhat Kumar Singh, J)

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