

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29435 of 2020**

Arising Out of PS. Case No.-150 Year-2020 Thana- PANCHRUKHI District- Siwan

JAICHANDRA RAM Son of Late Vikram Ram Resident of Village- Itwa,
P.S.- Pachrukhi, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary, Adv.

For the Opposite Party/s : Mr. Tapeswar Sharma, APP

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER**

2 15-12-2020 Heard Mr. Ajay Kumar Tiwary, learned counsel for
the petitioner and Mr. Tapeswar Sharma, Additional Public
Prosecutor for the state through video conferencing.

2. Petitioner apprehends his arrest in connection with
Panchrukhi PS Case No. 150/2020 registered for the offence
punishable under Section 30 (a) of the Bihar Prohibition and
Excise Act, 2018.

3. The allegation, as per FIR, is that the police after
getting secret information that petitioner along with one another
co-accused, Lalsa Manjhi has kept illicit liquor in the house of
Lalsa Manjhi, proceeded towards the place of occurrence and
upon seeing the police party, both the accused persons fled
away. However, Mahal Chaukidar identified the accused
persons as Lalsa Manjhi and Jaichandra Ram i.e., the petitioner.
It is further alleged that upon search 10 litres of illicit liquor has



been recovered from the house of co-accused, Lalsa Manjhi.

4. Learned counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case on the basis of disclosure of his name allegedly, made by Mahal Chaukidar. Learned counsel further submits that petitioner has got no criminal antecedents and no illicit liquor has been recovered from his conscious possession or from the premises belonging to him. Learned counsel, referring to the seizure list, submits that illicit liquor has been recovered from the house of co-accused, Lalsa Manjhi and upon perusal of the FIR and the seizure list it would be evident that, *prima facie*, no case under the Excise Act is made out against the petitioner.

5. Having regard to the submissions made by the parties and taking into consideration the material on record and the fact that no liquor has been recovered from the conscious possession of the petitioner or from the premises belonging to him and petitioner has got no criminal antecedents, I am inclined to grant anticipatory bail to the petitioner.

6. Accordingly, petitioner, JAICHANDRA RAM shall be released on anticipatory bail, in the event of arrest or surrender within six weeks, on furnishing bail bond of Rs.



10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge-cum-Special Judge, Excise, Siwan in connection with Panchrukhi PS Case No. 150/2020, subject to the conditions as laid down under Section 438(2) CrPC.

7. It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines of social distancing.

(Anil Kumar Sinha, J)

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