

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77132 of 2019

Arising Out of PS. Case No.-270 Year-2019 Thana- BELAGANJ District- Gaya

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Gauri Devi Wife of Ramanuj Chaudhari @ Manoj Chaudhari Resident of
Village - Keni, P.S.- Khizersarai, District - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vinod Kumar

For the Opposite Party/s : Mr.Surendra Kumar

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 18-02-2020 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner has filed the instant application for grant of anticipatory bail apprehending his arrest in a case registered for the offence under section 30(a) of Bihar Prohibition and Excise Act, 2016.

As per allegation in the F.I.R, 20 litres of Mahua liquor was recovered from a motorcycle and the driver of the said motorcycle, namely, Ritlal Manjhi was taken into custody. It is stated that the motorcycle is registered in the name of this petitioner.

It is submitted by learned counsel for the petitioner that from the F.I.R. itself it would be evident that no incriminating article has been recovered from the possession of the petitioner,



he has been implicated only for the reason that he had sold his motorcycle on 05.06.2014 to one Yogendra Mahto and after taking the vehicle from him when Ritlal Manjhi was driving the same, he was caught with the Mahua liquor.

The application for bail has been opposed by learned APP for the State.

Having heard learned counsel for the parties, in the facts and circumstances and taking into consideration that no incriminating article has been recovered from the possession of the petitioner who has no criminal antecedent, this Court is inclined to enlarge the petitioner on bail. The petitioner above named, in the event of his arrest or surrender in the Court below within a period of six weeks from today in connection with Belaganj P.S. Case no. 270 of 2019 is directed to be enlarged on bail on furnishing bail bond of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Excise Judge, Gaya, subject to the conditions as laid down in section 438 (2) of Criminal Procedure Code.

(Partha Sarthy, J)

Bibhash/Ankit

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