

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86378 of 2019

Arising Out of PS. Case No.-704 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Gaya

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ARUN CHAUDHARY, son of Late Ganauri Chaudhary, Resident of Mohalla-
Mallahtoli (Manpur), P.S.-Mufassil, District-Gaya.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Raj Kishore Prasad
For the Opposite Party/s : Mr.Sucheta Yadav

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 28-02-2020 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor appearing on behalf of the State.

The petitioner apprehends his arrest in connection
with Excise Case No. 704 of 2019, registered for the offence
punishable under Section 30 (a) of the Bihar Prohibition and
Excise Act, 2016.

The allegation against the petitioner, as per the
Prosecution report, lodged by the Excise Officials, is that the
Excise officials raided the house of the petitioner and recovered
12 liters of illicit liquor from near the bank of river situated in
the backside of the house of the petitioner.

Learned counsel appearing for the petitioner submits
that the petitioner has merely been implicated in this case on the



basis of the disclosure of his name made by the co-villagers. He further submits that no illicit liquor has been recovered from the conscious possession or the premises belonging to the petitioner.

After having heard learned counsel for the parties and taking into consideration the fact that no illegal liquor has been recovered from the conscious possession or the premises belonging to the petitioner, I am inclined to grant the petitioner privilege of anticipatory bail.

This application is, accordingly, allowed.

Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Gaya, in connection with Excise Case No. 704 of 2019, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

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