

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86377 of 2019

Arising Out of PS. Case No.-352 Year-2019 Thana- BELAGANJ District- Gaya

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Ajit Chaudhary @ Amit Kumar @ Amit Chaudhary, Son of Raju Chaudhary
Resident of Village - Rauna, P.S.- Belaganj, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arvind Kumar

For the Opposite Party/s : Mr.Indu Kumari Srivastava

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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
counsel appearing on behalf of the State.

Petitioner apprehends his arrest in connection with
Belaganj P.S. Case No.352 of 2019, registered for the offence
punishable under Section 30(a) of Bihar Excise and Prohibition Act,
2016.

The allegation against the petitioner is that police during
the course of patrolling, intercepted a motorcycle and recovered a
total quantity of 10 litres of Mahua illicit liquor from the dickey of
the motorcycle. It has further been alleged that upon seeing the
police party, the person, who was driving the motorcycle, left the
same and fled away from the place of occurrence. The name of the
petitioner was disclosed by local chowkidar.

Learned counsel for the petitioner submits that the
petitioner has not committed any offence in the manner alleged.



Learned counsel further submits that the petitioner has got no criminal antecedent and referring to para 14 of this application, learned counsel also submits that the petitioner is not the owner of the motorcycle seized by the police.

After having heard learned counsel for the parties and taking into consideration the fact that no illicit liquor has been recovered from the conscious possession or the vehicle belonging to the petitioner and the petitioner has got no criminal antecedent, I am inclined to grant anticipatory bail to the petitioner.

Accordingly, the petitioner, above named, is directed to surrender before the learned Court below within a period of four weeks from today and in the event of surrender by him, he shall be released on anticipatory bail by the Court below upon 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, Distt.-Gaya, in connection with Belaganj P.S. Case No.352 of 2019, subject to the condition as mentioned under Section 438 (2) of Cr.P.C.

(Anil Kumar Sinha, J)

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