

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35932 of 2020

Arising Out of PS. Case No.-461 Year-2019 Thana- VAISHALI District- Vaishali

Chandrika Sah @ Chandrika Kumar, aged about 37 years, Male, Son of Dipan Sah, Resident of Village Chintamanpur, P.S. Vaishali, District Vaishali.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shyameshwar Kumar Singh

For the Opposite Party/s : Mr. Nirmala Kumari, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 06-04-2021 Heard both sides through video conferencing.

The petitioner apprehends his arrest in Vaishali P.S. Case No.461 of 2019, registered under Section 30(a) of the Bihar Prohibition and Excise Act.

The informant alleged that he got information that huge quantity of liquor is kept in a room situated north to the community house of Chintamanpur. On such, raid was conducted. The lock was opened and huge quantity of Indian made foreign liquor weighing 840 litres was recovered. The informant further disclosed that on inquiry from the villagers, it transpired that the house is of late Rajendra Rai and nobody in the family of Rajendra Rai was residing in the house. On secret inquiry, the informant came to know that Ratnesh Rai, Manish Kumar and Chandrika Sah had kept the liquor in the dilapidated



house. Guddu Paswan is said to have supplied the liquor to the aforesaid three persons including the petitioner.

Learned counsel for the petitioner submits that the informant did not disclose the name of the persons who informed him about the fact that the petitioner and two others had kept liquor in the dilapidated house of late Rajendra Rai. It is own imagination of the informant for the reasons best known to him. There is no material to show that the petitioner kept the liquor in the dilapidated house of late Rajendra Rai. Similarly situated co-accused, namely, Guddu Paswan has already been granted anticipatory bail vide order dated 13.10.2020, passed in Cr. Misc. No.25674 of 2020. Co-accused, Manish Kumar has also been granted anticipatory bail. The case of the petitioner stands on the same footing.

Taking into consideration the facts aforesaid and the fact that two persons similarly situated whose case stands on similar footing as that of the petitioner have already been granted anticipatory bail, petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt of this order, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of



the learned Additional Sessions Judge-II-cum-Special Judge,
Excise Act, Vaishali at Hajipur in connection with Vaishali P.S.
Case No.461 of 2019, subject to the conditions laid down under
Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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