

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4629 of 2021

Arising Out of PS. Case No.-362 Year-2020 Thana- HISUWA District- Nawada

SAHDEV CHAUDHARY @ SALIM CHAUDHARY Son of Late Ram
Chaudhary Resident of Village- Mahdeva, P.S.- Hisua, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Verma

For the Opposite Party/s : Mr.APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 06-12-2021 Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner is expected to
honour his undertaking to remove the defects as pointed out by
the office when called upon to do so by the office.

The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection
with Hisua P.S. Case no. 362 of 2020 instituted for the offence
under Sections 30(a), 30(d) of Bihar Prohibition and Excise
Act, 2016.

As per allegation in the FIR, on secret information,
police has visited Mahadeva village and on seeing the police
party, petitioner along with other family members started to
fleeing away. Thereafter, police raided the house of the
petitioner and a recovery of 20 kg raw mahua and 50 kg of jawa



Mahua has been made in front of the villagers, which was kept there for preparing country made liquor.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has been falsely implicated in this case. He has got no criminal antecedent. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious physical possession.

Learned APP appearing for the State has stated that this is not a fit case for anticipatory bail.

Having heard learned counsel for the parties and taking into consideration that the alleged house belongs to the petitioner, from where recovery of huge quantity of mahua has been made, I am not inclined to grant bail to the petitioner and, as such, his application for bail is rejected.

However, if the petitioner surrenders and prays for regular bail, the same may be considered by the court below on its own merit without being prejudiced by this order of rejection.

(Sunil Kumar Panwar, J)

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