

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5032 of 2021

Arising Out of PS. Case No.-192 Year-2020 Thana- BHELDI District- Saran

Chandan Chaudhary, Son of Rajeshwar Chaudhary, Resident of Village - Sirsa
Rai, P.S. - Bheldi, District - Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dewendra Narain Singh, Adv.

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 06-08-2021 Heard the counsel for the parties.

The petitioner seeks bail in anticipation of his arrest in connection with Bheldi P.S. Case No. 192 of 2020, dated 13.10.2020, instituted for the offences under Sections 30 and 30(a) of the Bihar Prohibition and Excise Act, 2016.

On information to the police that the petitioner was selling liquor from his house, a raid was conducted. It is alleged that the petitioner fled away but his house was raided. Nothing was found in the house of the petitioner. However, later, 150 litres of liquor is said to have been recovered from a bush situated near the house of the petitioner.



Such recovery, it has been urged on behalf of the petitioner, cannot be saddled on him. Apart from this, it has been submitted that the petitioner has no criminal antecedents. On these two grounds, it has been urged that no offence under the Excise Act can at all be said to have been made out against the petitioner.

Regard being had to the facts afore-stated, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of eight weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Addl. Sessions Judge-Cum-Special Judge, Excise, Saran in connection with Bheldi P.S. Case No. 192 of 2020, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Ashutosh Kumar, J)

Praveen-II/-

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