

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38557 of 2024

Arising Out of PS. Case No.-207 Year-2023 Thana- DARAUNDA District- Siwan

Vinit Kumar Chaudhary S/O Chandrama Chaudhary Resident of Village-
Bagaura, P.S.- Daraunda, District- Siwan.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arbind Kumar Singh, Advocate

For the Opposite Party/s : Mr.Umanath Mishra, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 26-06-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner is apprehending his arrest in connection with Daraunda P.S. Case No. 207 of 2023, registered on 26.06.2023 for the offences under Section 30(a) of Bihar Prohibition and Excise Act.

3. As per prosecution case, police received secret information about storage of illicit liquor at certain identified place. A raid was conducted and recovery of 12.400 litres of country made liquor was made from the spot from where two persons fled away on seeing the police party. The petitioner is stated to be one of the escaped persons.

4. Learned counsel for the petitioner submits that



the petitioner is having clean antecedent and he was not apprehended from the spot and nothing incriminating has been recovered from the person or possession of the petitioner. The petitioner has no concern with the place from where recovery has been made which is an open place accessible to all.

5. Learned APP opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that no recovery has been shown from the petitioner and there is no other material to make out prima facie case against the petitioner and further considering the possibility of false implication and clean antecedent of the petitioner, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Special Excise Court No. I, Siwan/concerned court in connection with Daraunda P.S. Case No. 207 of 2023, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions :



- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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