

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74361 of 2024

Arising Out of PS. Case No.-661 Year-2024 Thana- NAGAR District- Vaishali

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Vikash Chaudhary @ Vikash Kumar Son of Bhagwan Chaudhary @
Bhagwanlal Chaudhary R/O Gandhi Chowk, Ward no.- 19, P.S.- Hajipur
Town, Dist.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mritunjay Kumar

For the Opposite Party/s : Mr.Asha Kumari

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 13-11-2024 1. Heard the parties.

2. The petitioner apprehends his arrest in connection with
Hajipur Town P.S. Case No. 661 of 2024 dated 31.08.2024
registered under Section 30 (a) of the Bihar Prohibition and
Excise Amendment Act, 2022.

3. As per the First Information Report on 31.08.2024 the
Police party got information that the petitioner along with other
accused persons were selling liquor from a hut situated near
Jivan Jyoti School. When the Police party reached near the place
of occurrence, they saw one person started running away from
the hut. The Police recovered 8.28 liters of Indian Make foreign
liquor from the said hut and local persons disclosed the name of
the petitioner.



4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. The hut from where illicit liquor in question has been recovered does not belong to the petitioner. Referring to the seizure list, learned counsel submits that in the seizure list illicit liquor has not been shown to be recovered from the hut of petitioner. The name of the person from whose possession or premises illicit liquor has been recovered has also not been mentioned in the seizure list.

5. Regard being had to the submission made by the parties, taking into consideration the fact that seizure list does not disclose that illicit liquor has been recovered from the hut owned by the petitioner and the name of the petitioner is also not there in the seizure list, I am inclined to grant anticipatory bail to the petitioner.

6. Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No. 1 cum Addl. District and Sessions Judge, Vaishali at Hajipur in connection with Hajipur Town P.S. Case No. 661 of 2024 subject to the



condition as laid down under Section 438 (2) of the Cr.P.C.

(Anil Kumar Sinha, J)

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