

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.86022 of 2024

Arising Out of PS. Case No.-750 Year-2024 Thana- SIKARPUR District- West Champaran

Vijay Chaudhary @ Vijay Chaudhari @ Vijay Sahni S/o- Shankar Chaudhary
@ Shankar Sahni Village- Prakash Nagar Naya Tola Ward no 12 PS-
Shikarpur District- West Champaran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Umesh Kumar Gupta, Adv.
For the Opposite Party/s : Mr. Shyam Bihari Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 16-01-2025 1. Heard learned Counsel for the petitioner and
learned APP for the State.

2. This application, for grant of anticipatory bail,
arises out of Shikarpur P.S. Case No. 750 of 2024, disclosing
offences punishable under Section 30(a) of Bihar Prohibition
and Excise (Amendment) Act.

3. As per the First Information Report, on 25.10.2024,
the informant, on a secret information that petitioner was selling
illicit liquor near his house, proceeded towards the place of
occurrence and upon seeing the police party one person fled
away. The police recovered 34.560 liters of illicit liquor kept in
wooden box near the house of the petitioner. The local people



assembled disclosed the name of the person who succeeded in fleeing away as the petitioner.

4. Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in this case. The petitioner has been named accused only on the basis of disclosure of his name by the local villagers. He further submits that illicit liquor has not been recovered from inside the house of the petitioner; rather it has been recovered from near the house of the petitioner which was kept in wooden box. The wooden box did not belong to the petitioner.

5. Regard being had to the submissions made on behalf of the parties and taking into consideration the fact that illicit liquor has been recovered from an open place near the house of the petitioner and not from inside the house of the petitioner, I am inclined to grant the privilege of anticipatory bail to the petitioner.

6. This application is, accordingly, allowed.

7. Let petitioner, Vijay Chaudhary, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of like amount each to the satisfaction of learned Exclusive Special Judge, Excise-II,



Bettiah, West Champaran in connection with Shikarpur P.S.
Case No. 750 of 2024, subject to the condition laid down under
Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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