

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45723 of 2014

Arising Out of PS.Case No. -73 Year- 2013 Thana -CHARPOKHARI District- BHOJPUR

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1. Kaushal Choudhary Son of Late Dukhit Choudhary
2. Bhawan Choudhary Son of Late Dukhit Choudhary
Both resident of village- Manainitola, P.S.- Charpokhari, District- Bhojpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Lallan Singh

For the Opposite Party/s : Mr. Parmanand Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 18-02-2015 Heard learned counsel for the petitioners and learned
counsel representing the State.

Petitioners seeks bail in connection with
Charpokhari P.S. Case No. 73 of 2013 registered for the offences
punishable under Sections 272 and 273 of the Indian Penal Code
and Section 47a of the Excise Act.

Allegedly, acting on a tip off, a raid was conducted
and then four persons fled away. Village Choukidar identified
them including the petitioners and at the place of occurrence two
liquor making units were found running and accordingly, seizure
was made as per the seizure list.

Submission is that similarly situated co-accused

Nanda Choudhary has been allowed bail by another Bench of this Court vide order dated 10.6.2014 passed in Cr. Misc. No. 21074 of 2014 and the petitioners are suffering in custody since 3.7.2014 to which the learned APP is not in a position to distinguish the case of the petitioners from that of co-accused.

In the facts and circumstances stated above, the petitioners above named are directed to be released on bail on execution of bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Ara, Bhojpur in connection with Charpokhari P.S. Case No. 73 of 2013, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioners shall remain present on each and every date during trial and the default on two consecutive dates on their part without any reason shall disentitle the petitioners from privilege of bail.

(Jitendra Mohan Sharma, J)

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