

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29246 of 2016

Arising Out of PS.Case No. -56 Year- 2016 Thana -MANPUR District- NALANDA
(BIHARSHARIFF)

- =====
1. Banarsi Chaudhary, son of Late Ramjee Chaudhary, Resident of Kharebigha, P.S.- Manpur, District- Nalanda
 2. Jitendra Chaudhary, son of Late Manni Chaudhary, Resident of Village- Chaudhary Nagar, P.S.- Nawada, District- Nawada.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Thakur, Advocate
Mr. Nilesh Kumar, Advocate
For the Opposite Party/s : Mr. Murli Dhar, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 07-09-2016 Heard learned counsel for the petitioners and the State.

The petitioners seek bail in a case instituted for the offences under Section 47 of the Bihar Excise (Amendment) Act.

The prosecution story, in brief, is that on the alleged date and time of occurrence the informant along with police personnel was on patrolling duty and on secret information they raided the house of Banarsi Chaudhary, where the illegal country made wine was preparing and selling, and apprehended both the petitioners, who disclosed their names as Banarsi Chaudhary and Jitendra Chaudhary and 25 liters of illegal country made wine were recovered.

It has been submitted on behalf of the petitioners that the petitioners are in custody since 2.6.2016 and the charge sheet has been submitted in the present case. The petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The recovery of country wine from the possession of the petitioner is denied. There is no compliance of Section 100 of the Cr.P.C.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, it is directed that the petitioners above named be released on bail on furnishing bail bond of Rs. 10,000/-(Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Nalanda in connection with Manpur P.S. case No.56 of 2016.

(Sudhir Singh, J)

Narendra/-

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