

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46413 of 2016

Arising Out of PS. Case No. -131 Year- 2016 Thana -KHAIRA District- SARAN

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1. Asil Chaudhary
2. Hilan Chaudhary, both sons of Enar Chaudhary
3. Naresh Chaudhary, son of Late Marai Chaudhary,
4. Ashok Chaudhary, son of Madan Chaudhary
Residents of village Rauza Masihan Tola, P.S. Khaira, District Saran at
Chhapra

.... Petitioners

Versus

The State of Bihar

.... Opposite Partys

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Appearance :

For the Petitioners : Mr. Yashraj Bardhan, Advocate

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 22-10-2016

Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners are in custody since 24.08.2016 in
connection with Khaira (Nagra) P.S. Case No. 131 of 2016 for the
offences alleged under Sections 188, 272, 273/34 of the Indian
Penal Code and Section 47 of the Excise Act, 2016.

3. It is submitted that the petitioners have been falsely
implicated as there is serious doubt with regard to the seizure list
which does not bear the signatures of the petitioners or their family
members. It is further submitted that pending trial the petitioners
have been sufficiently punished having already suffered custody
since 24.08.2016 in respect of the small quantity of the country
made liquor which is said to have been recovered.

4. Having regard to the entirety of the facts and
circumstances of the case, let the petitioners above named be
released on bail on furnishing bail bond of Rs. 10,000/- (ten
thousand) each with two sureties of like amount each to the

satisfaction of learned Additional Chief Judicial Magistrate-X, Saran at Chhapra in connection with Khaira (Nagra) P.S. Case No. 131 of 2016 with the following conditions:

(i) That one of the bailors of each of the petitioners shall be their close relative other than the petitioners herein.

(ii) That the petitioners shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioners shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, their bail bonds shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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