

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52846 of 2016

Arising Out of PS.Case No. -89 Year- 2016 Thana -GOVINDPUR District- NAWADA

- =====
1. Anuj Chaudhary.
 2. Manoj Chaudhary.
Both Sons of late Hari Chaudhary, Resident of Village- Govindpur
Dihpar, P.S. Govindpur, District- Nawada.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 06-12-2016 Heard learned counsel for the petitioners and the learned
A.P.P. for the State.

The petitioners apprehend their arrest in connection with
Govindpur P.S. Case No.89 of 2016 registered under Sections
47(a) of the Bihar Excise (Amendment) Act, 2016.

The accusation is that the police, on receiving secret
information about preparation of country made liquor by the
petitioners and two others in an orchard, near pond, situated in
village-Govindpur Dihpar, reached there. On seeing the police
party, the petitioners and two others succeeded to flee away from
there while four furnaces were seen for preparing the country



made liquor. In course of search of the orchard, Mahua Jawa, kept in 50 Tins and one container, and 15 liters country made liquor, kept in a Jaar, and other apparatuses were recovered from there.

Learned counsel appearing on behalf of the petitioners submits that it would appear from the F.I.R. that the petitioners were not apprehended on the spot by the police and the place of occurrence also does not belong to the petitioners. In fact, earlier G.O. Case No.206 of 2015 and 207 of 2015 under Section 47(a) of the Excise Act were instituted against the petitioners, due to that reason the petitioners have been falsely implicated in this case.

Having considered the facts and the circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender by them within six weeks from today, be enlarged on bail on their furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Nawada, in connection with Govindpur P.S. Case No.89 of 2016, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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