

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28915 of 2017

Arising Out of PS.Case No. -38 Year- 2015 Thana -DIGHWARA District- SARAN

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1. Subhash Chaudhary @ Sujit Kumar Chaudhary, Son of Late Kamal Chaudhary,
2. Subodh Kumar @ Anshu , Son of Subhash Chaudhary @ Sujit Kumar Chaudhary, Both Resident of Village- Aami, P.S.- Dighwara, District- Saran at Chapra.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh, Advocate
For the Opposite Party/s : Mr. Madhuranand Jha

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

2 01-07-2017 Heard learned counsel for the petitioners and the State.

Petitioners apprehend their arrest in connection with a case registered under Sections 272, 273, 290 of the Indian Penal Code and Section 47(A) of the Excise Act.

Allegation in brief is that 25 litres of country made Mahua liquore was recovered from the house of the petitioners kept in Galen.

Learned counsel for the petitioners submits that nothing has been recovered from the house of the petitioners. Petitioner no.1 is L.I.C. agent working in a Multi National Insurance Company and petitioner no.2 is his son. They have no



criminal antecedent. The seizure list itself shows that not a copy of the same was given to any of the accused or family members the petitioners were present there but not arrested and were given notice under Section 41 of Cr.P.C. but now there is apprehension of arrest. This case is of the year 2015 and the Excise Act was not amended relating to non-application of anticipatory bail.

Having considered the said facts and circumstances, in the event of arrest/surrender within four weeks from the date of receipt of this order to the concerned court, let the petitioners, namely, Subhash Chaudhary @ Sujit Kumar Chaudhary and Subodh Kumar @ Anshu 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 Additional Chief Judicial Magistrate-IIInd, Saran at Chapra in connection with Dighwara P.S. Case No.38 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Arun Kumar, J)

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