

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47310 of 2017

Arising Out of PS.Case No. -112 Year- 2017 Thana -BARBIGHA District- SEKHPURA

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1. Pintu Chaudhary, Son of Guddu Chaudhary,
2. Shibu Chaudhary Son of Indradeo Chaudhary @ Sakindra Choudhary,
3. Sakendra Chaudhary @ Sakindra Chaudhary, Son of Arjun Chaudhary,
All Sl. No.1 to 3 R/o Village- Narayanpur, P.S.- Barbigha, Dist-
Sheikhpura.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Anjani Pd. Singh

For the Opposite Party/s : Mr. Madhuranand Jha

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 11-10-2017 Heard learned counsel for the petitioners and learned
APP for the State.

Petitioners seek bail in connection with Barbigha P.S.
Case No. 112/2017/ Excise Case No. 310/2017 for offences
punishable under Sections 420, 414, 409, 467, 468, 471, 272, 273,
188 of the Indian Penal Code and Section 30 of the Bihar
Prohibition and Excise Act, 2016.

The prosecution case, as lodged by the police
personnel, is that on secret information that five persons are
dealing in selling of country-made wine, the police reached the
spot and from the field recovered 20 litres of country-made wine.



The accused persons including the petitioners managed to flee away. Accordingly, a seizure-list was prepared.

It has been submitted by the learned counsel for the petitioners that they are innocent, bear no criminal history and have been falsely implicated in the aforesaid case. He submits that nothing has been recovered from their conscious possession and considering the small quantity of wine being attributable to five persons including the petitioners, the petitioners may be enlarged on bail. Petitioners are languishing in judicial custody since 28.08.2017.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioners, above named, be enlarged 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 Ist Addl. District and Sessions Judge, Sheikhpura, in connection with Barbigha P.S. Case No. 112/2017/ Excise Case No. 310/2017, subject to the condition that both the bailors would be close relatives of the petitioners having sufficient immovable property, who will file an affidavit stating their relationship with



the petitioners and if the petitioners indulge in an offence of similar nature in future, the prosecution will be at liberty to move the learned court below for cancellation of their bail bonds.

(Nilu Agrawal, J)

Rajesh/-

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