

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5132 of 2017

Arising Out of PS.Case No. -242 Year- 2016 Thana -PAKARIBARAW District- NAWADA

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1. Kedar Chouhan, Son of Sri Dashrath Chouhan,
2. Puna Chauhan, Son of Late Yuvraj Chouhan @ Obraj Chouhan,
3. Ganesh Chouhan, Son of Late Yuvraj Chouhan @ Obraj Chouhan, All
residents of Village- Jogi Bigha, P.S.- Dhamaul, District- Nawada.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satyabir Bharti

For the Opposite Party/s : Mr. Suman Kumari Singh

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

2 18-03-2017 Heard learned counsel for the petitioners and the
learned A.P.P. for the State.

The petitioners apprehend their arrest in connection
with Pakribarawa (Dhamaul) P.S.Case No.242/16 registered under
Section 30(a) of the Bihar Prohibition & Excise Act,2016.

The accusation is that on receipt of secret information
about keeping illicit liquor in the Khalihan of the petitioners in
village-Jogi Bigha the police reached at about 6 P.M. in the
village- Jogi Bigha near the Khalihan of the petitioners. On seeing
the police personnel five persons started fleeing away but none
was apprehended. But the petitioners were identified by the
informant. On search 572 pauches of country made liquor labeled



as Jharkhand Excise each containing 200 ml. and 20 bottles of foreign liquor containing 375 ml. each recovered from the place of occurrence.

Learned counsel for the petitioners submits that the petitioners are agriculturists and have never indulged in such illegal activity. It is further submitted that neither anything has been recovered from the conscious possession of the petitioners nor they have been apprehended from the place of occurrence.

Having regard to the facts and circumstances of the case, let the above named petitioners be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Nawada, in connection with Pakribarawa (Dhamaul) P.S.Case No.242/16, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

AnilKrSinha/-

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