

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38503 of 2018

Arising Out of PS.Case No. -66 Year- 2018 Thana -ROSHANGAANJ District- GAYA

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1. Phulwa Devi, W/o Prasad Chaudhary,
2. Kunti Das, W/o Manoj Chaudhary,
3. Prasad Chaudhary S/o Late Ramdhani Chaudhary,
4. Manoj Chaudhary S/o Prasad Chaudhary.
All R/o Vill.- Fatehpur, P.S.- Roushanganj, District- Gaya.

.... Petitioners.

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Indrajesh Kumar

For the Opposite Party/s : Mr. Rajendra Singh Shastriji

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

02 02-07-2018

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

The petitioners seek bail in a case registered for the
offence punishable under Sections 341, 323, 337, 338, 353, 504,
506, 272 and 273/34 of the Indian Penal Code and Section 30 (a)
of the Bihar Prohibition and Excise Act, 2016.

20 liters of country made liquor is said to have been
recovered from the house of petitioner no.3-Prasad Chaudhary and
other petitioners, who happen to be son, wife and daughter-in-law
of Prasad Chaudhary, are said to have attacked on the police party
by means of lathi during course of search of the house.

It is submitted by learned counsel for the petitioners



that no incriminating article has been recovered from the conscious physical possession of the petitioners. No such occurrence as alleged ever took place. They have no concern with the seized liquor. They have been falsely implicated in this case at the instance of their enemy by planting the aforesaid recovery from their house. No person has sustained injury in the alleged attack made by the petitioners. They have no criminal antecedent and have been languishing in custody since 14.05.2018.

In the facts and circumstances of the case, the above named petitioners are directed to 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 the learned Special Judge Excise, Gaya in connection with Raushanganj P.S. Case No. 66 of 2018.

(Prakash Chandra Jaiswal, J)

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