

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11534 of 2018

Arising Out of PS.Case No. -270 Year- 2017 Thana -SIRDALA District- NAWADA

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1. Tulsi Chaudhary S/o Parmeshwar Chaudhary,
 2. Chhotu Chaudhary S/o Parmeshwar Chaudhary, Both Resident of Village/Mohalla-Janghaul, P.S.-Sirdala, District-Nawada.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Deo Raj

For the Opposite Party/s : Mr. Arbind Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 27-02-2018 Heard the learned counsel for the petitioners and the learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Sirdala P.S. Case No.270 of 2017 registered for the offence punishable under Section 30(a) of Bihar Prohibition and Excise Act.

The allegation is regarding recovery of 50 litres of illicit liquor from the bank of a river.

The learned counsel for the petitioners submits that no recovery has been made from the conscious possession of the petitioners. As far as petitioner no.1 is concerned, he is having a clean antecedent and as far as petitioner no.2 is concerned, barring one case in which he is on bail, he is having a fair



antecedent.

Considering the nature of accusation and the fact that, prima facie, no case is made out for the offences punishable under the Excise Act, I deem it fit and proper to admit the petitioners herein to the privilege of anticipatory bail, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order on furnishing bail bond of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of A.D.J.-II-cum-Special Court, Nawada in connection with Sirdala P.S. Case No.270 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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