

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.34770 of 2018**

Arising Out of PS. Case No.-76 Year-2018 Thana- NOKHA District- Rohtas

Heeralal Chaudhary, Son of Late Ram Suresh Choudhary, Resident of  
Village:- Kadawa Jagaranath Tola, Police Station – Nokha, District – Rohtas.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Dhaneshwar Prasad Gupta, Advocate  
For the Opposite Party/s : Mr. Rajkishore Singh, APP172

**CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA**  
**ORAL ORDER**

2     19-06-2018                      Heard learned counsels for the petitioner and the  
State.

Petitioner apprehends arrest in connection with Nokha P.S.  
Case No. 76 of 2018 registered for the offence punishable under  
sections 30(A), and 37(e) of the Bihar Prohibition and Excise  
Act.

Learned counsel appearing for the petitioner submits that  
nothing has been recovered from the conscious possession of  
this petitioner. The alleged recovery has been made from the  
open field (Khalihan) which is not the exclusive property of this  
petitioner, rather it is in joint possession of this petitioner and  
his two brothers.

Considering the facts and circumstances of the case  
and the submissions advanced on behalf of the parties, let the



petitioner, above named, in the event of arrest or surrender within a period of four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional District and Sessions Judge-Cum-Special Judge, Excise, Rohtas at Sasaram in connection with Nokha P.S. Case No. 76 of 2018 subject to the conditions laid down under section 438(2) Cr.P.C.

**(Arvind Srivastava, J)**

mcv/rahul/-

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