

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35333 of 2018

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1. Vishwanath Chaudhary @ Vishwonath Chaudhary Son of Late Nathuni Chaudhary, Resident of Village- Mirchaipatti, P.S.- Sitamarhi, District- Sitamarhi.
 2. Raju Chaudhary @ Raju Kumar, son of Ramashish Chaudhary @ Ashok Chaudhary, Resident of village- Mirchaipatti Bari Bazar, P.S.- Sitamarhi, District- Sitamarhi.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Adv.

For the Opposite Party/s : Mr. Satyadev Prasad Singh Yadav, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

2 20-06-2018

Heard learned Counsel for the petitioner and learned

Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Sitamarhi Police Station Case No. 312 of 2018, disclosing offences under Sections 272, 273 and 30(A) of Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner has submitted that the petitioners, who are of clean antecedent, are innocent and have not committed any offence. In fact, the alleged recovery of Toddy (liquor) was made from the open market, which is evident from seizure list and the petitioners have no concern with the alleged recovery. Nothing has been recovered from the conscious possession of the petitioners. Hence, the petitioners



deserve the privilege of anticipatory bail.

Considering the facts and circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender before the Court below within six weeks, be released 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 ADJ-II- cum- Special Judge, Excise Act, Sitamarhi, in connection with Sitamarhi Police Station Case No. 312 of 2018, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Arvind Srivastava, J)

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