

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23606 of 2018

Arising Out of PS.Case No. -35 Year- 2018 Thana -NARHAT District- NAWADA

- =====
1. Chiku Kumar, son of Late Ramchandra Choudhary, Resident at Village- Khanpur, P.S.- Hisua, District- Nawada.
 2. Subodh Choudhary, Son of Late Kailash Choudhary, resident of Village- Hisua, P.S.- Hisua, District- Nawada.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vishwa Ranjan Choudhary, Advocate

For the Opposite Party/s : Mr. Smt. Pronati Singh, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL ORDER

3 22-05-2018

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

This is a case registered under Section 30 (a) of the Bihar Prohibition and Excise Act.

Learned counsel for the petitioner submits that even after the receipt of the case diary the only difference between the co-accused Chiku Kumar and Subodh Choudhary is that one was driving and other was sitting in the vehicle. He submits that he is also entitled for similar treatment as that of Chiku Kumar who has allowed bail in the instant case vide order dated 26.04.2018. Prior to the instant case there is no criminal antecedent of the petitioner and he is in custody since 26.02.2018.

In the facts and circumstances of the case, prayer for bail of



the petitioner no. 2 is allowed. Let the petitioner no. 2 namely, Subodh Choudhary be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of **A.D.J-II-cum-Special Judge, Nawada in Narhat P.S. Case No. 35 of 2018** subject to the conditions :

- (i) That one of the bailors will be a close relative of the Petitioner who will give an affidavit giving genealogy as to how he is related with the Petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the Petitioner.
- (ii) That the Petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Madhuresh Prasad, J)

Prakash/-

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