

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11794 of 2018

Arising Out of PS.Case No. -363 Year- 2017 Thana -ROHTAS District- SASARAM (ROHTAS)

- =====
1. Krishna Paswan son of Lala Paswan, resident of village Trwadih P.S. Rohtas, District Rohtas.
 2. Brahmddeo Chaudhary son of late Jageshwar Chaudhary, resident of village Rasulpur P.S. Rohtas, District Rohtas.
 3. Dashrath chaudhary son of Vilas Chaudhary, resident of Village Trawadih, P.S. Rohtas, District Rohtas.
 4. Sanoj Chaudhary son of Hari Narayan Chaudhary, resident of village Trawadih, P.S. Rohtas, Dist. Rohtas.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kamla Kant Pandey

For the Opposite Party/s : Smt. Sucheta Yadav

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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 counsel for the State.

The petitioners seek anticipatory bail in connection with Rohtas PS case no. 363 of 2017 registered for the offences punishable under Sections 30(a), 34, 37(a) of the Bihar Prohibition and Excise Act.

The allegation is regarding recovery of 20 liters of illicit liquor from one Ajay Chaudhary.

The learned counsel for the petitioners submits that no recovery has been made from the conscious possession of the petitioners and the petitioners are having a fair antecedent.



Considering the nature of accusation levelled against the petitioners herein as also the fact that prima facie no case is made out under the provisions of the Excise Act, I deem it fit and proper to admit the petitioners herein to the privilege of anticipatory bail.

Accordingly, in the event of arrest or surrender before the concerned court within a period of six weeks from the date of receipt/production of a copy of the present order, the petitioners above named are directed to be released on anticipatory bail on furnishing bonds of Rs. 10,000/- (Rs. Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge -cum- Special Judge, Excise Act, Rohtas, Sasaram in connection with Rohtas PS case no. 363 of 2017, subject to the conditions laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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