

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16651 of 2019

Arising Out of PS. Case No.-282 Year-2018 Thana- GOH District- Aurangabad

1.Kapil Choudhary, aged about 40 years, M, S/o Ram Chandra Choudhary.
2.Santosh Choudhary @ Bhura Choudhary, aged about 38 years, M.
3. Ajay Choudhary @ Chhotan Choudhary, aged about 42 years, M.
Both Sons of Late Lakhan Choudhary.
All are residents of Village Devhra, P.S. Goh, District-Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailesh Kumar Singh
For the Opposite Party/s : Mr.Rana Randhir Singh

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 26-03-2019 Heard learned counsel for the petitioners and learned
APP representing the State.

Petitioners are seeking anticipatory bail in connection with Goh P.S. Case No. 282 of 2018 registered for the offences punishable under Section 30(A) a (d) of the Bihar Prohibition Excise Act, 2016.

Learned counsel for the petitioners submits that the the recovery of Mahua and liquor is from a bush which do not belong to the petitioners. It is a case of false prosecution against these petitioners. It is further submitted that these petitioners have no criminal antecedent.

Learned APP for the State is present and has opposed



the prayer for bail.

Considering the facts and circumstances of the case that the recovery of Mahua and liquor have taken place from a deserted place i.e from a bush which do not belong to the petitioners and that the petitioner have no criminal antecedent, let in case of arrest or surrender of the petitioners within a period of four weeks from today, the abovenamed petitioners are directed to be enlarged on bail on furnishing bail bond of Rs.15,000/- (rupees fifteen thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Session Judge-VII-cum-Special Judge (Excise), Aurangabad in connection with Goh P.S. Case No. 282 of 2018, CIS No.1239 of 2018, subject to the condition that petitioners shall join the investigation by reporting to the Investigating Officer within a period of two weeks from today and shall cooperate in course of investigation. This will be in addition to condition prescribed under Section 438(2) of the Cr.P.C.

(Rajeev Ranjan Prasad, J)

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