

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17334 of 2019

Arising Out of PS. Case No.-31 Year-2019 Thana- BHAGWAN BAZAR District- Saran

1. Prakash Choudhary @ Jai Prakash Choudhary, Son of Late Nav Ratan Choudhary, Resident of Village - Daulatganj, P.S.- Bhagwan Bazar, Distt - Saran at Chapra.
2. Rudal Choudhary, Son of Late Nav Ratan Choudhary Resident of Village - Daulatganj, P.S.- Bhagwan Bazar, Distt - Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Tej Pratap Singh
For the Opposite Party/s : Mr.Harendra Prasad

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 26-03-2019 Heard learned counsel for the petitioner and the State.

The petitioners are apprehending their arrest in connection with Bhagwan Bazar P.S. Case No.31 of 2019 registered for the offence punishable under Section 30(a) of Bihar Prohibition and Excise Act.

Prosecution case is that 16 litres of country made liquor were recovered from the mustered field in the back side of the house of the petitioners.

Learned counsel for the petitioners submits that petitioner is innocent and has falsely been implicated in the present case. It is further submitted that the petitioners are not



having any criminal antecedent, statement to that effect has been made in paragraph no.3 of the bail petition.

Learned A.P.P. has vehemently opposed the prayer for bail and submits that the recovery is made from mustard field from the back side of the house of the petitioner.

Considering the fact that the recovery has been made from an open area, i.e., from mustard field and the fact that the petitioners are not having any criminal antecedent, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of four weeks from the date of receipt of this order, be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned 6th A.D.J., Saran at Chapra in connection with Bhagwan Bazar P.S. Case No.31 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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