

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28176 of 2019

Arising Out of PS. Case No.-217 Year-2018 Thana- HAZIPUR INDUSTRIAL District-
Vaishali

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1. BINOD CHOUDHARY S/o Sudama Choudhary R/o village- Chhoti Marai
Dhanauti, P.S.- Industrial Area, District- Vaishali
 2. Laxmi Devi W/O SUDAMA CHOUDHARY R/o village- Chhoti Marai
Dhanauti, P.S.- Industrial Area, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Prabhat

For the Opposite Party/s : Mr.Meena Singh

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 15-07-2019 This application, for grant of anticipatory bail,

arises out of Industrial Area P.S. Case No. 217/18, disclosing

offences under Sections 30(a) of the Bihar Prohibition of Excise

Act, 2016.

Prosecution case is that the police raided the house of

one Sudama Chaudhary on the information that he has kept

illicit country made liquor and english wine and recovered 15

litres of liquor, thereafter, seizure list was prepared. Petitioners

are son and wife of the said Sudama Chaudhary.

Submission of learned counsel for the petitioners is

that they have been made accused in this case only because they

happen to be son and wife of co-accused Sudama Chaudhary



and in fact, they have nothing to do with the recovered wine. Further submission is that petitioner no. 1 lives in Gurgaon, which he has stated on oath in para -7 of the petition.

Heard learned A.P.P. also.

Having heard both sides, considering the facts and circumstances of the case, this application is allowed. 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. 25,000/- (Rupees Twenty five Thousand) each with two sureties of the like amount each to the satisfaction of learned ADJ-II-cum Special Judge, Excise, Vaishali at Hajipur in connection with Industrial Area P.S. Case No. 217/18, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Vinod Kumar Sinha, J)

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