

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27014 of 2019

Arising Out of P.S. Case No.-56 Year-2019 Thana- NOORSARAI District- Nalanda

1. BALE CHAUHAN Son of Janki Chauhan, Male, aged about 45 years, Resident of Village - Charui, P.S.- Noorsarai, Distt - Nalanda.
2. Dilip Chaudhary Son of Haresh Chaudhary, Male, aged about 35 years, Resident of Village - Belsar, P.S.- Noorsarai, District - Nalanda.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Raj Kishor Prasad, Advocate
For the Opposite Party : Mr. Sanjay Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 17-07-2019 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 30(A) of the Bihar Excise (Prohibition) Amendment Act, 2016.

The prosecution case is that 25 liters of country made wine was recovered from the Boring of one late Chhatu Bhagat.

It is submitted on behalf of the petitioners that there is general and omnibus allegation against the petitioners. It is further submitted that no incriminating article has been recovered from the conscious possession of the petitioners. Petitioners have got no criminal antecedent. It is also submitted



that no seizure list was prepared, hence, there is violation of Section 100 of the Cr.P.C.

Considering the facts aforesaid, let the petitioners above named, in the event of their arrest or surrender before the Court below within a period of six weeks from the date of receipt of the order, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-III-cum-Special Judge (Excise), Nalanda at Biharsharif/successor Court in connection with Noorsarai P.S.Case No.56 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioners shall fully cooperate with the investigation and trial of the case, failing which the court below shall be at liberty to cancel the bail bonds of the petitioners.

(Prabhat Kumar Singh, J)

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