

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.79176 of 2018

Arising Out of PS. Case No.-235 Year-2018 Thana- AWTARNAGAR District- Saran

Munna Chaudhary son of Laxman Chaudhary, Resident of Village-Naraon,
P.O.-P.S.-Awtar Nagar, District-Saran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar Singh
For the Opposite Party/s : Mr.Md. Fahimuddin

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 28-01-2019 Heard both sides.

The petitioner apprehends his arrest in Avtar Nagar P.S. Case No.235 of 2018 registered under Sections 138, 272, 273, 305 and 34 of the Indian Penal Code and Section 30, 30(a), 38 and 41 of Bihar Prohibition and Excise Act.

A.S.I. of Avtar Nagar P.S. alleged that he got information that Vidya Chaudhary and Munna Chaudhary of village Naraon were selling illicit liquor in their houses on such, the police went to raid the house of both accused but it is alleged that both the accused managed to flee away having kept a bag in their hands. Later on, they threw the bag. Two bags containing 3 liters each country made liquor were recovered.

The learned counsel for the petitioner submits that nothing has been recovered from the house of the petitioner. The



petitioner has falsely been implicated in the case. Vidya Chaudhary has already been enlarged on bail.

Considering the aforesaid facts and nature of allegation made against the petitioner and the fact that the petitioner was not arrested in his house and nothing has been recovered from the house of the petitioner, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise Act-cum-A.D.J. 6th, Saran at Chapra in connection with Avtar Nagar P.S. Case No.235 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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