

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33048 of 2019

Arising Out of PS. Case No.-300 Year-2018 Thana- MAGADH MEDICAL COLLEGE
District- Gaya

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1. KAIL CHOUDHARY, male, aged about 35 years
 2. Pandey Choudhary, male, aged about 40 years,
Both Sons of Parmeshwar Choudhary Resident of Vill.- Duvhal, P.S.-
Magadh Medical, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kr. Sinha

For the Opposite Party/s : Mr.Veena Rani Prasad

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 20-05-2019 Heard both sides.

The petitioners apprehend their arrest in Magadh Medical P.S. Case No.300 of 2018 registered under Sections 30(A), (C)/38(1)(2) of Bihar Prohibition and Excise Act.

The learned counsel for the petitioners submits that only 40 Kgs. of Mahua is said to have been recovered from the house of the petitioners. There is no material to show that the petitioners were preparing liquor from the Mahua flower. There is Mahua Flower Rules and the petitioners have not violated any condition of the Rules. Petitioners have kept Mahua and they were using the same as fodder of the animals. Petitioners are brothers and they have no criminal antecedent.



Taking into consideration the facts aforesaid, 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 the order, be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise, Gaya in connection with Magadh Medical P.S. Case No.300 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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