

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34199 of 2019

Arising Out of PS. Case No.-145 Year-2018 Thana- KORANSARAI District- Buxar

-
1. MUNNA CHAUDHARY Son of Sri Rudal Choudhory R/O-Vill and P.O.- Mathila, P.S.- Koran Saria, Distt.- Buxar.
 2. Jatail Choudhory @ Jatile Chaudhary Son of Sri Ranglal Choudhory R/O-Vill and P.O.- Mathila, P.S.- Koran Saria, Distt.- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajiv Ranjan Kr. Pandey
For the Opposite Party/s : Mr.Abhay Kumar

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 27-05-2019 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are languishing in custody since 27.03.2019 in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

It is alleged that 519 litres of country made liquor were recovered from the agricultural field of one Raghuvansh Singh. The petitioners and other accused persons were found fleeing away from the place of occurrence.

It is submitted by learned counsel for the petitioners



that admittedly the recovery has not been made from the conscious physical possession of the petitioners. Though petitioner no.1 is accused in three other cases apart from the present case, but out of three cases, in two cases, he is on bail, whereas petitioner no.2 is accused in two other cases, apart from the present case, but out of two cases in one case, he is on bail. A statement to that effect has been made in paragraph no.3 of the petition.

Learned APP for the State submits that the petitioners and others were found fleeing away from the place of seizure and they are named in the FIR.

Considering the fact that the recovery has not been made from the conscious physical possession of the petitioners, let the above named petitioners be released on bail on 27.06.2019, on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned ADJ-II-cum-Special Judge, Excise Act, Buxar in connection with Koransarai P.S. Case No. 145 of 2018.

Since the petitioners are having serious criminal antecedent, the learned Court below will be at liberty to cancel the bail bonds of the petitioners, if they default for three



consecutive occasions or get substantially involved in some
serious nature of offence.

(Dinesh Kumar Singh, J)

Ashwini/-

U		T	
---	--	---	--

