

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34838 of 2019

Arising Out of PS. Case No.-2 Year-2019 Thana- KORANSARAI District- Buxar

1. MUNNA CHOUDHORY @ MUNNA CHAUDHARY Son of Sri Rudal Choudhory Resident of Village and P.O.- Mathila, P.S.- Koran Saria, Distt.- Buxar
2. Jatail Choudhory @ JATILE CHAUDHARY. Son of Sri Ranglal Choudhory Resident of Village 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.Mritunjay Kumar Nirala

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 28-05-2019 Heard learned counsels for the parties.

The petitioners are languishing in custody since 27.3.2019 in a case registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case is that 406 litres of Indian Made Foreign Liquor were recovered from the farmyard and 889 litres of Indian Made Foreign Liquor from the pick-up van. The petitioners were found escaping from the scene.

It is submitted by learned counsel for the petitioners that neither the pick-up van nor the said farmyard belongs to the petitioners. Though the petitioners are accused in other cases but they are on bail in those cases.



Learned APP submits that there is specific accusation against the petitioners.

Considering the fact that investigation has already been concluded, the prosecution report does not suggest the ownership of the vehicle in question nor does it suggest that the land from which the liquor was recovered belongs to the petitioners and the period in custody, let the petitioners above named be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned ADJ II-cum-Special Judge (Excise), Buxar in connection with Koransarai P.S. Case No.2 of 2019.

(Dinesh Kumar Singh, J)

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