

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35107 of 2019

Arising Out of PS. Case No.-55 Year-2019 Thana- SANDESH District- Bhojpur

1. Sudhir Choudhry, Son of Dev Kumar Chaudhary, Resident of Village - Chilhos, P.S.- Sandesh, Distt - Bhojpur.
2. Arvind Choudhary, Son of Dev Kumar Choudhary, Resident of Village - Chilhos, P.S.- Sandesh, Distt - Bhojpur.
3. Anoj Choudhary @ Anoj Chaudhary, Son of Panchami Chaoudhary, Resident of Village - Chilhos, P.S.- Sandesh, Distt - Bhojpur.
4. Bhuwar Yadav @ Bhuwar Choudhary @ Bhuwar Jadav, Son of Shiv Yadav, Resident of Village - Chilhos, P.S.- Sandesh, Distt - Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shiv Prasad Gupta, Advocate
For the Opposite Party/s : Mr. Satyadeo Singh Yadav, APP

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 08-08-2019 This is an application for grant of anticipatory bail in connection with Sandesh P. S. Case No. 55 of 2019, Excise Case No. 550 of 2019, disclosing offences under Sections 270, 272 & 273 of the Indian Penal Code and Sections 30(a), (d)/34/38 of the Bihar Prohibition and Excise Act, 2016.

Prosecution story is that police received an information that the accused persons are engaged in manufacturing of liquor, on that information, police raided the place of occurrence, seeing the police party, some persons started in fleeing away, one person was apprehended and there is recovery of 50 liters of liquor as well as several articles of manufacturing the liquor and the apprehended person disclosed the name of the petitioners.



Submission of the learned counsel for the petitioners no.3 & 4 is that nothing has been recovered from their possession and they have made accused on the basis of confessional statement made by the co-accused. Apart from that there is absolutely nothing against them.

Heard learned A.P.P. also, who has opposed the prayer for anticipatory bail, however, admitted the fact that nothing has been recovered from their possession.

Having heard both sides, considering the above submission, this application is allowed. Let the petitioners no.3 & 4 above named, in the event of their arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount to the satisfaction of learned 4th Additional Sessions Judge-cum- Special Judge, Excise Act, Bhojpur, at Ara, in connection with Sandesh P. S. Case No. 55 of 2019, Excise Case No. 550 of 2019, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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

