

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45541 of 2019

Arising Out of PS. Case No.-69 Year-2019 Thana- JANTA BAZAR District- Saran

1. SRI NATH CHOUDHARY Son of Late Vishwanath Choudhary Resident of Sobhipur, P.S.-Janta Bazar, District-Saran.
2. Upendra Kumar Son of Tarkeshwar Choudhary Resident of Sobhipur, P.S.-Janta Bazar, District-Saran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mrityunjay Kumar Tiwary

For the Opposite Party/s : Mr.Md. Fahimuddin

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

4 24-10-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Janta Bazar Police Station Case No.69 of 2019 registered under Sections 272 and 273/34 of the Indian Penal Code besides Sections 30(a), 38 and 41 of the Bihar Prohibition and Excise Act.

The accusation is that on receiving the secret information about carrying the liquor by these petitioners, loading on a pickup van, near Kali Asthan, situated at Dhamsar-Shobhipur, the informant along with other police personnel reached there and in the torch light, saw some persons in fleeing condition. While they tried to apprehend the aforesaid persons but they succeeded to flee away, taking the advantage of darkness. On search, from Khajarbali, 154



cartoons, each containing 24 bottles of 375 ml. Indian Made Foreign Liquor, were recovered. On query, the informant and other police personnel came to know that these petitioners used to sell the liquor.

Learned counsel for the petitioners submits that the petitioners were not apprehended on the spot. On query, the informant and other police personnel came to know the name of the petitioners but it is not detailed in the F.I.R. as to who disclosed their name. The petitioners have no criminal antecedents.

Having considered the facts and the circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender by them within six weeks from today, be enlarged on bail on their furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge-XI, Saran, in connection with Janta Bazar P.S. Case No.69 of 2019, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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