

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54497 of 2019

Arising Out of PS. Case No.-299 Year-2019 Thana- TURKAULIYA District- East
Champanan

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ASHOK CHAUDHARY Son of Vishwanath Chaudhary @ Vishwanath
Mahto Resident of Village - Jhakhiya Chowk, P.S.- Banjariya, dist.- East
Champanan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhannjay Kumar No 2

For the Opposite Party/s : Mr. Asha Kumari

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

3 20-11-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks pre-arrest bail in connection with
Turkauliya P.S. Case No. 299/19 registered under Sections 272, 273/34 of
I.P.C. 30 [a] 38 [i], 41 [i] of the Bihar Prohibition & Excise Act, 2016.

On receiving secret information about carrying the spirit
loaded on the truck bearing Registration No. BR-06D-9610 by Ashok
Chaudhary (petitioner) the police party reached near Semara railway
station then three persons were seen coming on motorcycle in front of
truck. On seeing the police party they fled away with motorcycle. On
search of truck bearing Registration No. BR06D9610 16 drums each
containing 200 spirit recovered & the driver of truck namely Raja Prasad
and name of Santosh Kumar as truck owner & the spirit was being
carried to unload on the instruction of Ashok, Shahabuddin and Neck
Mohammad of village Gyakhiya.



Submission is that petitioner is not named in the F.I.R., rather he has been made accused on suspicion. He is accused in two cases were of similar nature and the detailed thereof is paragraph-3.

Having regard to the facts and circumstances of the case, let the petitioner, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with Turkauliya P.S. Case No. 299/2019 shall be released on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Court of 9th Additional Sessions Judge-Cum-Special Judge Exercise, E. Champaran, Motihari or the successor Court, subject to the conditions as laid down under Section 438 (2) of the Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

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