

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59966 of 2019

Arising Out of PS. Case No.-329 Year-2019 Thana- MOTIHARI TOWN District- East
Champaran

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1. Madan Chaudhary, Son of Daroga Chaudhary, Resident of Village- Balua Machali Hatta, P.S.- Motihari Town, District- East Champaran.
 2. Suraj Chaudhary, Son of Madan Chaudhary, Resident of Village- Balua Machali Hatta, P.S.- Motihari Town, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma

For the Opposite Party/s : Mr.Md. Iftekhar Mahmood

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

ORAL ORDER

2 23-09-2019 Heard learned counsel for the petitioners and the
learned A.P.P. for the State.

The petitioners apprehend their arrest in connection
with Motihari Town P.S. Case No. 329 of 2019, registered under
Section 30(a) of the Bihar Excise Act.

The accusation is of recovery of 160 bottles each
containing 300 ml Nepal liquor, kept in two plastic bags, from
the bank of Baluaman. The persons, who were present there,
disclosed the name of three persons including the petitioners,
who succeeded to flee away on seeing the police party.

Learned counsel for the petitioners submits that both
petitioners were not apprehended at the spot rather their names



have been disclosed by the persons, who were present there mere on suspicion, saying that the alleged seized liquors was kept by the petitioners. The petitioners have no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioners be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, 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 9th Additional Sessions Judge-cum-Special Judge, Excise, East Champaran, Motihari, in connection with Motihari Town P.S. Case No. 329 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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