

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 74874 of 2019

Arising Out of PS. Case No.-191 Year-2019 Thana- KHIJARSARAI District- Gaya

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1. Vijay Choudhary aged about 38 years (male) Son of Bhuneshwar Choudhary
 2. Sukhari Choudhary aged about 28 years (male) Son of Mohan Choudhary
Both Resident of Village - Horma, P.S.- Khijarsarai, Distt - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vishwa Ranjan Choudhary, Advocate
For the Opposite Party/s : Mr. Kalyan Shankar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 20-11-2019 Heard learned counsel for the parties.

The petitioners apprehend their arrest in Khijarsarai P.S. Case No. 191 of 2019 registered for the offence under Section 30(a) of Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioners submits that it is a case of recovery of one litre of *Mahua* country-made liquor and 20 litres of jawa *Mahua* from a bamboo cluster. He further submits that petitioners have no connection with the seized articles nor they are owner of the said bamboo cluster. He submits that petitioners are having clean antecedent.

Considering the aforesaid facts and circumstances as well as nature of accusation, in the event of arrest or surrender within a period of six weeks from today, let both petitioners



above named be enlarged 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 learned Special Judge, Excise, Gaya in connection with Khijarsarai P.S. Case No. 191 of 2019 on the following conditions:

(1) Petitioners shall cooperate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present, as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail-bond shall be cancelled by the Court below.

(2) If the petitioners temper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J.)

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