

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72535 of 2019

Arising Out of PS. Case No.-113 Year-2019 Thana- SANDESH District- Bhojpur

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1. SANJAY YADAV @ CHUHARI Son of Nepali Yadav Resident of Village - Dhana, P.S.- Kanapa (Ghana)(Raniya Talab), Distt.- Patna.
 2. Ravi Chaudhary Son of Late Raj Kumar Chaudhary Resident of Village - Sandesh, P.S.- Sandesh , Distt.- Bhojpur.
 3. Satyendra Chaudhary Son of Timki Chaudharey Resident of Village - Sandesh, P.S.- Sandesh , Distt.- Bhojpur.
 4. Mantu Sah Son of Baijnath Sah Resident of Village - Sandesh, P.S.- Sandesh , Distt.- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shiv Prasad Gupta
For the Opposite Party/s : Mr.Mritunjay Kumar Nirala

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 11-12-2019 Heard the learned counsel for the petitioners

and the State.

The petitioners seek bail in anticipation of their

arrest in connection with Sandeshh P. S. Case No. 113

of 2019 dated 11.06.2019 (Excise Case No. 1079 of

2019) instituted for the offences under Section 30(a) of

the Bihar Prohibition and Excise Act, 2016.

Approximately 25 litres of locally brewed liquor

is said to have been recovered from the *doab* area of the



river. Some persons were found to be running away from the place of the raid and seizure. The name of the petitioners and others have transpired in the statement of the local *Chaukidar* and hence the prosecution of the petitioners and others in the instant case.

All the four petitioners have clean antecedents.

Considering these two aspects of the matter, it appears that offence under the Bihar Prohibition and Excise Act, 2016 is not made out against the petitioners.

For the afore-stated reasons, this petition is allowed.

The petitioners, above-named, are directed to be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks, on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned 4th Additional Sessions Judge cum Special Judge, Excise Act, Bhojpur at Ara in connection with Sandeshh P. S. Case



No. 113 of 2019 dated 11.06.2019 (Excise Case No.
1079 of 2019), subject to the conditions as laid down
under Section 438 (2) Cr.P.C.

(Ashutosh Kumar, J)

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