

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6736 of 2020

Arising Out of PS. Case No.-65 Year-2019 Thana- MAGADH MEDICAL COLLEGE
District- Gaya

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1. BINOD CHOUDHARI Son of Rajdev Choudhari Resident of Village - Pathroua Bhukhan Bigha, P.S.- Magadh Medical, Distt.- Gaya.
 2. Raju Choudhari Son of Late Shiva Chaoudhari Resident of Village - Pathroua Bhukhan Bigha, P.S.- Magadh Medical, Distt.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinod Kumar

For the Opposite Party/s : Mr.Mohammad Sufyan

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA

ORAL ORDER

3 13-05-2020 Heard learned counsel appearing for the petitioners as well as learned Additional Public Prosecutor for the State through video conferencing.

Petitioners are in jail custody since 11.12.2020 in connection with Magadh Medical College P.S. Case No. 65 of 2019 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

120 Kg. Mahua, 110 Kg. Kismish and 105 Kg. Gur were recovered from the house of petitioner No. 1, whereas 10 litres mahua liquor and 5000 litres jawa mahua were recovered from a pit situated in front of the house of the petitioner No. 2. The specific allegation against these petitioners is that they were running liquor *Bhatti* when police raided, they managed to flee from there.



Learned Additional Public Prosecutor opposed the prayer pointing out that the petitioners do have criminal antecedent.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioners, above named, be released 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/concerned court in connection with Magadh Medical College P.S. Case No. 65 of 2019.

However, it is made clear that if the petitioners fail to make available sureties due to lock down as well as due to prevailing situation, the concerned court shall release the petitioners provisionally on personal bonds with condition that petitioners shall furnish the sureties when lock down is over.

(Hemant Kumar Srivastava, J)

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