

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8773 of 2020

Arising Out of PS. Case No.-428 Year-2019 Thana- CHAKIA District- East Champaran

1. LALLU CHAUDHARY @ LALU CHAUDHARY Son of Prabhu Chaudhary @ Pramod Chaudhary Resident of Village- Kundawa, P.S.- Chakiya, District- East Champaran.
2. Pramod Chaudhary @ Pramod Kumar Son of Prabhu Chaudhary @ Pramod Chaudhary Resident of Village- Kundawa, P.S.- Chakiya, District- East Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dilip Kumar Tondon

For the Opposite Party/s : Mr.Mritunjay Kumar Nirala

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 28-02-2020 Heard the learned counsel for the petitioners and the learned APP for the State.

The petitioners apprehend their arrest in connection with Chakiya P.S. Case No. 428 of 2019 for the offence punishable under Section 30(a) of Bihar Prohibition and Excise Act, 2018.

The allegation is regarding recovery of 8.91 liters of illicit liquor from the house of one Prabhu Choudhary, however, the said Prabhu Choudhary has not been implicated in the present case and instead his two sons who are living in the said house have been implicated in the present case as accused persons.

The learned counsel for the petitioners has submitted that the petitioners are innocent and are having a clean antecedent, hence, the learned trial court be directed to consider the case of the



petitioners sympathetically considering the fact that a meager quantity of liquor has been recovered from the house in question. Accordingly, it is submitted that the petitioners be granted liberty to surrender in the court below and seek regular bail.

Having regard to the short submissions made by the learned counsel for the petitioners, the present petition stands disposed of as not pressed, however, with liberty to the petitioners to surrender in the court below in connection with Chakiya P.S. Case No. 428 of 2019, pending before the learned 9th Additional District and Sessions Judge cum Special Judge Excise, East Champaran, Motihari, and seek regular bail.

It is needless to state that in case the petitioners surrender before the learned court within a period of four weeks from today and apply for regular bail, their bail petition shall be considered and disposed of on the same day, specially considering the fact that a meager quantity of liquor has been recovered from the house of the petitioners.

(Mohit Kumar Shah, J)

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