

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14212 of 2020

Arising Out of PS. Case No.-320 Year-2019 Thana- ARA MUFFASIL District- Bhojpur

1. GANESH CHOUDHARY Son of Prabhu Choudhary Resident of Village - Sarangpur, P.S.- Ara Muffasil, District - Bhojpur.
2. Guddu Choudhary Son of Late Sri Niwash Choudhary Resident of Village - Sarangpur, P.S.- Ara Muffasil, District - Bhojpur.
3. Dukhan Choudhary Son of Uttam Choudhary @ Uttim Choudhari Resident of Village - Sarangpur, P.S.- Ara Muffasil, District - Bhojpur.
4. Tuman Choudhary Son of Jangali Choudhary Resident of Village - Sarangpur, P.S.- Ara Muffasil, District - Bhojpur.
5. Gajadhar Choudhary Son of Shankar Choudhary Resident of Village - Sarangpur, P.S.- Ara Muffasil, District - Bhojpur.
6. Ghura Choudhary Son of Late Singar Choudhary Resident of Village - Sarangpur, P.S.- Ara Muffasil, District - Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sarveshwar Tiwary
For the Opposite Party/s : Mr.Khurshid Anwar

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 12-06-2020 Heard learned counsel for the petitioners and the learned A.P.P. for the State through video conferencing.

The petitioners apprehend their arrest in connection with Ara Muffasil P.S. Case no. 320 of 2019, registered under Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

The accusation is that on 12.12.2019 at about 3.00 P.M., the informant along with other Police personnel reached in village – Sarangpur then on seeing the Police party, the villagers left their houses. On search of house



of the petitioners 14 liters, each, country made liquor recovered. At that time, the houses of the petitioners were identified by local Chowkidar Dhaneshwar Yadav and Shyambabu.

Learned counsel for the petitioners submits that it would appear from the F.I.R. that while nine houses were searched, including the houses of the petitioners, but not a single villager was present in village and at that time, the houses were identified by local Chowkidar Dhaneshwar Yadav and Shyambabu, who have inimical term with the villagers. 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 four 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 4th Additional Sessions Judge-cum-Special Excise Act, Bhojpur, Arrah in connection with Ara Muffasil P.S. Case No. 320 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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