

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14239 of 2020

Arising Out of PS. Case No.-23 Year-2020 Thana- TEKARI District- Gaya

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1. Ashok Choudhary, Son of Mukheshwar Choudhary, Resident of Village - Mokarimchak, P.S.Tekari, District- Gaya
 2. Krishna Choudhary, Son of Late Karu Choudhary, Resident of Village - Mokarimchak, P.S.Tekari, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satya Veer, Advocate.

For the Opposite Party/s : Mr.Nityanand, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 17-08-2020 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 Tekari P.S. Case No. 23 of 2020, registered under Section 30(a)(c) of the Bihar Excise Act, 2016, pending in the court of Special Judge, Excise, Gaya.

The accusation is that in course of raid in Village- Mokarimchak, a plastic container containing five litres country made liquor recovered from the house of Ashok Choudhary (petitioner no.1) whereas on search of house of Krishna Choudhary (petitioner no.2), a plastic container containing five litres country made liquor also recovered.



Learned counsel for the petitioners submits that both petitioners were not apprehended at the spot but they have been implicated in the present case mere on suspicion. Further submission is that petitioners have no criminal antecedent.

Having considered the facts and circumstances of the case and the nature of allegation against the petitioners, I am not inclined to grant anticipatory bail to the petitioners. Accordingly, their prayer for grant of anticipatory bail stands rejected. The petitioners are directed to surrender before the trial court within four weeks and pray for regular bail, which would be considered by the trial court in accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

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