

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16842 of 2020

Arising Out of PS. Case No.-57 Year-2019 Thana- NIMCHAKBATHANI District- Gaya

1. BHATTU CHAUHAN @ BHATU JAMADAR Son of Late Shukar Chauhan @ Late Dola Jamadar
2. Upendra Chauhan @ Upendra Kumar S/o Late Ramswarup Chauhan @ Ramshrup Prasad
3. Bindu Chauhan S/o Naresh Chauhan
All Resident of Village - Ganpat Nagar, P.S-Nimchak Bathani, District-Gaya.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravindra Kumar Sinha

For the Opposite Party/s : Mr.Satyadeo Singh Yadav

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

(The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.)

2 16-10-2020

Heard learned counsel for the parties.

The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 272/273 of the Indian Penal Code and Section 30 of the Bihar Prohibition & Excise Act, 2016.

Allegation is recovery of 25 litres Mahua country-made liquor from three plastic jar from a hut and 10 drums of mahua gur etc. were found which was ready for preparation of country made liquor.

It has been submitted on behalf of the petitioners that



petitioners are innocent and have falsely been implicated in this case due to dirty village politics. It is further submitted that neither petitioners were apprehended on the spot nor anything was recovered from the possession of the petitioners and petitioners have no concern with the recovered wine. Petitioners have no criminal antecedent.

Considering the aforesaid facts and circumstances of the case, let the petitioners named above be released on anticipatory bail, in the event of their arrest or surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs. 20,000/- each with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Nimchak Bathani P.S. Case No.57/2019 subject to the condition as laid down under Section 438(2) of the Cr.P.C with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court.

(3) If the petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty



to move for cancellation of bail of the petitioners.

(4) If the petitioners are found involved in similar nature of offences, after their release on bail the trial court shall take steps to cancel their bail bonds.

(S. Kumar, J)

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