

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23153 of 2020

Arising Out of PS. Case No.-230 Year-2020 Thana- KUDHNI District- Muzaffarpur

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1. LAKSHMAN CHAUDHARY Son of Late Fudeni Chaudhary Resident of Village - Chhajan Harishankar Paschimi ward no- 11, P.S.- Kudhani (Turki O.P), District - Muzaffarpur
 2. Ramadhar Chaudhary @ Ram Adhar Chaudhary Son of Fudeni Chaudhary Resident of Village - Chhajan Harishankar Paschimi ward no- 11, P.S.- Kudhani (Turki O.P), District - Muzaffarpur
 3. Kailash Manjhi Son of Late Awadh Manjhi Resident of Village - Dardha Musahar Tola Chhajan, P.S.- Kudhani (Turki O.P), District - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hari Kishore Thakur

For the Opposite Party/s : Mr.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 07-09-2020 This matter is taken up for consideration through Video Conferencing under the orders of Hon'ble the Chief Justice.

Heard learned counsel for the petitioners and learned A.P.P for the State.

The petitioners seek bail in Kudhani (Turki O.P) P.S. Case No. 230 of 2020, registered for the offence punishable under Section 188 of the Indian Penal Code and section 30(a) of the Bihar Prohibition and Excise Act, 2016.

40 litres of adulterated Toddy (Neera) has been recovered from the hut of petitioner no. 1 and petitioner no. 2. Petitioner no. 3 is alleged to have gone to drink Neera.



It is submitted on behalf of petitioners that petitioners have been falsely implicated in this case. Petitioner no. 1 has got valid license to run the shop of Neera. Petitioner no. 2 is brother of petitioner no. 1. Petitioner no. 3 is customer. Petitioners are in custody since 25.04.2020 having clean antecedent.

Considering the facts and circumstances of the case, the petitioners above-named, are directed to be enlarged 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 the learned Special Judge Excise Act, Muzaffarpur in connection with Kudhani (Turki O.P.) P.S. Case No. 230 of 2020, subject to following conditions:-

(i) The petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, their bail bond shall be liable to be cancelled by the court below.

(ii) 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.

(Prabhat Kumar Singh, J)

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