

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29327 of 2020

Arising Out of PS. Case No.-46 Year-2020 Thana- SIRDALA District- Nawada

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1. MOHAN CHAUDHARY Son of Chaudhary Resident of Village-Laund Chamotha, P.S.- Sirdala, District-Nawada.
 2. Manoj Chaudhary Son of Chaudhary Resident of Village-Laund Chamotha, P.S.- Sirdala, District-Nawada.
 3. Gorelal Chaudhary Son of Chaudhary Resident of Village-Laund Chamotha, P.S.- Sirdala, District-Nawada.
 4. Pintu Chaudhary Son of Ramkrit Chaudhary Resident of Village-Laund Chamotha, P.S.- Sirdala, District-Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Krishna Deo Raj
For the Opposite Party/s : Mr.Kalyan Shankar, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 09-12-2020 This matter is taken up for consideration through Video Conferencing under the orders of Hon'ble the Chief Justice.

Learned counsel for the petitioner seeks permission to withdraw the anticipatory bail petition of Gorelal Chaudhary petitioner no. 3, as during pendency of this case, petitioner no. 3 has already been arrested.

Prayer is allowed. The anticipatory bail petition is dismissed as withdrawn having become infructuous.

Heard learned counsel for the petitioners and learned



A.P.P for the State.

The petitioner no. 1, 2 and 4 apprehend their arrest in Sirdala P.S. Case No. 46 of 2020, registered for the offence punishable under Section 30(d) of the Bihar Prohibition and Excise Act.

3100 litres of fermented Mahua is said to have been recovered from Furnace (*Bhatti*) which is alleged to be of these petitioners and co-accused.

It is submitted that petitioners have falsely been implicated in this case at the instance of local Chowkidar. Nothing has been recovered from conscious possession of the petitioners. The Furnace (*Bhatti*) does not belong to these petitioners. Petitioners have got clean antecedent, as stated in para 3 of the petition.

Considering the facts aforesaid, the petitioner no. 1, 2 and 4 above-named in the event of their arrest/surrender before the court below within a period of eight weeks from the date of receipt/production of a copy of this order, 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 Additional District Judge II-cum-Special Judge, Excise, Nawada in connection with Sirdala P.S.



Case No. 46 of 2020, subject to the conditions as laid down
under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

vinita/-

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