

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30884 of 2020

Arising Out of PS. Case No.-310 Year-2020 Thana- CHAPRA MUFFASIL District- Saran

1. FULENA CHOUDHARY S/o Beera Choudhary R/o Village- Karinga Musehari, P.S.- Muffasil, District- Saran.
2. Vijay Choudhary S/o Fulena Choudhary R/o Village- Karinga Musehari, P.S.- Muffasil, District- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bishwajeet Singh

For the Opposite Party/s : Mr. Bharat Lal

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 23-12-2020 Heard Mr. Bishwajeet Singh, learned counsel for

the petitioner and Mr. Bharat Lal, learned APP for the State.

The petitioners seek bail in anticipation of their arrest in connection with Chapra Muffasil P.S. Case No. 310 of 2020 dated 16.07.2020 instituted for the offence under Sections 30(a), 36, 41(1) of the Bihar Prohibition and Excise Act, 2016.

It has been submitted on behalf of the petitioners that the recovery of 100 litres of liquor is from a mango orchard, which does not belong to the petitioners. The petitioners have been made accused in this case only on



suspicion that they also deal in bootlegging.

The petitioners are persons of clean antecedents. It has been, therefore, urged on behalf of the petitioners that no case under the Excise Act is made out.

Considering the aforesaid facts, the petitioners, above named are directed to be released on bail in the event of their arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned 02nd Additional Sessions Judge-cum-Special Judge, Excise, Saran, in connection with Chapra Muffasil P.S. Case No. 310 of 2020, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Ashutosh Kumar, J)

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