

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67729 of 2019

Arising Out of PS. Case No.-100 Year-2019 Thana- INDUSTRIAL District- Bhagalpur

1. RITESH CHOUDHARY
2. Tuntun Choudhary, Both Sons of Mahendra Choudhary, Resident of Maurya Jubilee Palace, Choudhary Complex, P.S. - Industrial Area, District - Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Bishweshwar Ram, A.P.P.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 16-01-2020 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 30, 30(a) and 32 of the Bihar Prohibition and Excise Act, 2016.

From out side back wall of the house of the petitioners, liquor was recovered and allegation is that the same was of the petitioners.

Submission is that the place of recovery is accessible by anyone. Father of the petitioners is also an accused and he has been allowed bail. Petitioners have got no criminal antecedent. There is no material to substantiate that the petitioners are going to tamper with the evidence or abscond the



process of law.

Considering the nature of allegation and material available on the record, in my view, the petitioners need not be sent to jail. Hence, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on anticipatory bail on furnishing bail bonds of Rs.20,000/- (rupees twenty thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Industrial Area Police Station Case No. 100 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioners shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioners and also the petitioners shall not leave the country without permission of the court.

(Birendra Kumar, J)

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