

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14087 of 2021

Arising Out of PS. Case No.-197 Year-2020 Thana- CHAKAI District- Jamui

1. Prem Chaudhary @ Prem Prakash Choudhary S/O- Late Sadanand Chaudhary Resident of Village- Ladiadih, P.S.- Chakai, District- Jamui.
2. Amit Chaudhary @ Amit Kumar Chaudhary S/o Prem Chaudhary @ Prem Prakash Chaudhary Resident of Village- Ladiadih, P.S.- Chakai, District- Jamui.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prashant Kashyap
For the Opposite Party/s : Mr. Dilip Kumar No. 1

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 07-12-2021 Heard learned counsel for the petitioners and learned
APP for the State.

Learned counsel for the petitioners undertakes to remove the defects within three weeks. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

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

Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case. He submits that there is no recovery from the conscious



possession of the petitioners rather 31.125 liters of foreign liquor is said to have been recovered behind the house of the petitioner. The said house is ancestral house and has been given on rent to the tenants who transfer the monthly rent into petitioners' Bank Account. Petitioners are residing at Deoghar, Jharkhand. He further submits that petitioners has criminal antecedent of the similar nature as stated in para-3 of the bail application.

Petitioners are agreed to deposit a sum of Rs. 1,00,000.00 (Rupees One Lakh) in the Chief Minister Relief Fund, Bihar, bearing Account No. 2065104000002257, IFSC IBKL 0002065, IDBI Bank, Kidwaipuri Branch, Patna.

Considering the facts and circumstances of the case, the above named petitioners in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Chakai P.S. Case No. 197 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

The bail bond of the petitioners shall be accepted by



the learned Court below on showing receipt of deposit of Rs.
100,000.00 (Rupees One Lakh) in the Chief Minister Relief
Fund Bihar.

(Anjani Kumar Sharan, J)

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