

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39041 of 2021

Arising Out of PS. Case No.-270 Year-2020 Thana- BACHHWARA District- Begusarai

1. BITTU KUMAR CHOUDHARY @ BITTU CHOUDHARY S/o Late Naresh Choudhary @ Naresh Choudhary R/o village- Rani- 03, Chakaji, P.S.- Bachhwara, District- Begusarai
2. MANOJ CHAUDHARY @ MANOJ KUMAR CHAUDHARY @ PANMA @ PANMA CHAUDHARY S/o Devilal Chaudhary @ Devendra Chaudhary R/o village- Rani- 03, Chakaji, P.S.- Bachhwara, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam, Advocate
For the Opposite Party/s : Mr.Arvind Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 21-10-2021 Heard learned counsel for the petitioners and learned
APP for the State.

Counsel for the petitioners is directed to remove the defect(s), as pointed out by the office, within a period of eight weeks.

The petitioners are apprehending their arrest in connection with Bachhwara P.S. case No.270 of 2020 registered under Sections 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 261 liters wine is recovered.

It has been submitted on behalf of the petitioners that



there is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have falsely been implicated in this case. The names of the petitioners have transpired in this case on the basis of disclosure made by the local Choukidar. Except for this, there is no other substantive evidence to suggest the implication of the petitioners in this case. It is alleged that 261 liters wine is recovered from the bamboo orchard of one Arjun Rai. The petitioners had no knowledge regarding the alleged incident. Nothing incriminating has been recovered from the conscious possession of the petitioners. There is no compliance of Section 100 Cr.P.C.

On behalf of the State, it is submitted that the petitioners are named in the complaint case/F.I.R.

Considering the facts and circumstances of the case, the petitioners, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge II, Begusarai-cum-Special Judge, Bihar Prohibition and Excise Act in connection with Bachhwara P.S. case No.270 of 2020, subject to the conditions as laid down



under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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