

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32931 of 2020

Arising Out of PS. Case No.-90 Year-2020 Thana- AANDAR District- Siwan

- =====
1. RAJENDRA CHAUDHARY @ RAJENDRA CHAUDHARI S/o Ram Chandra Chaudhary Resident of Village-Pachabarwan, Police Station-Aandar, District-Siwan.
 2. BHIM CHAUDHARY S/o Rajendra Chaudhary @ Rajendra Chaudhri Resident of Village-Pachabarwan, Police Station-Aandar, District-Siwan.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s	:	Mr. Prakash Chandra Jha
	:	Mr. Bijay Prakash Singh
For the Opposite Party/s	:	Mr. APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 22-02-2021 Heard Mr. Prakash Chandra Jha, learned counsel

for the petitioners and the learned APP for the State.

The petitioners seek bail in anticipation of their arrest in connection with Aandar P.S. Case No. 90 of 2020 instituted for the offence under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

From the prosecution report, it appears that 5 litres of country made liquor and 35 litres of liquid jaggery was recovered from behind the house of the petitioners.

Learned counsel for the petitioners has submitted



that the recovery is not from their conscious possession but from an open space and that the petitioners do not have criminal antecedents.

Regard being had to the afore-stated 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 District & Sessions Judge-cum-Special Judge, Excise, Siwan, in connection with Aandar P.S. Case No. 90 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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