

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39000 of 2020

Arising Out of PS. Case No.-144 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Begusarai

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1. UMESH CHOUDHARY, Son of Jilebi Choudhary Resident of Village-
Taraiya, Ward No. 02, Sankh, P.S.- Muffasil, District- Begusarai.
 2. Binod Choudhary, Son of Jilebi Choudhary Resident of Village- Muzaffra,
P.S.- Birpur, District- Begusarai.

... .. Petitioners

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam, Advocate
For the Opposite Party/s : Mr. Binod Kumar, A.P.P

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 14-07-2021 As prayed for, let the learned counsel appearing for
the petitioners remove the defect(s), as pointed out by the
office vide its notes dated 23.12.2020, within four weeks of
starting of Court proceeding in physical mode in normal
course.

Heard learned counsel for the petitioners and the
learned A.P.P. for the State through video conferencing.

The petitioners apprehend their arrest in connection
with Excise Case No. 144C2 of 2020 for the offence under
Sections 30(a) and 30(c) of the Bihar Prohibition and Excise
Act, 2016, pending in the court of the learned Additional
Sessions Judge-II-cum-Special Judge, Excise Act, Begusarai.



The accusation is of recovery of 18 litres country made liquor, kept in a plastic gallon, and 13 litres semi prepared liquor kept in another container with apparatus, meant for preparing liquor, recovered from the court yard of the house of petitioners.

Learned counsel appearing on behalf of petitioners submits that both the petitioners are own brothers and they are resident of village-Taraiya, but, at the time of occurrence, the petitioner No.2 used to reside at the house of his maternal uncle in village-Muzaffra and he has falsely been implicated in this case mere on suspicion.

Having considered the facts and circumstances of the case and the nature of allegation against the petitioners, I am not inclined to grant pre-arrest bail to the petitioners. Accordingly, their prayer for grant of pre-arrest bail stands rejected. The petitioners are directed to surrender before the trial Court within four weeks and pray for regular bail, which shall be considered by the trial Court in accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

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