

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41143 of 2020

Arising Out of PS. Case No.-143 Year-2020 Thana- OBRA District- Aurangabad

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1. Anil Chaudhary S/O Sudama Chaudhary Resident Of Vill.- Bharoob, P.S.- Obra, Distt.- Aurangabad.
 2. Sudama Chaudhary S/O Late Khalifa Chaudhary Resident Of Vill.- Bharoob, P.S.- Obra, Distt.- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Mukul Kumari- Advocate

For the Opposite Party/s : Mr. A.P.P.

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 26-07-2021 Heard Ms. Mukul Kumari, the learned Advocate for
the petitioners and the learned APP for the State.

The application with respect to petitioner no.1 is
sought to be withdrawn as he has been arrested.

The application with respect to petitioner no.1 is
dismissed as withdrawn.

The petitioner no.2 seeks bail in anticipation of his
arrest in connection with Obra P. S. Case No.143 of 2020,
instituted for the offences under Section 30(a) of the Bihar
Prohibition and Excise Act, 2018.

30 litres of liquor is said to have been recovered and
one person namely Jitendra Kumar was arrested. He has named



the petitioner in his confessional statement. Beyond the aforesaid material, there is no other evidence to connect the petitioner with this offence.

The learned Advocate for the petitioner no.2 therefore submits that no case under the Excise Act can at all be said to have been made out against the petitioner no.2, who is a 63 years old person.

Regard being had to the facts afore-stated and taking into account the clean antecedent of petitioner no.2, he, in the event of his arrest or surrender before the learned Court below within a period of eight weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge (Excise), Aurangabad in connection with Obra P. S. Case No.143 of 2020, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands disposed off.

(Ashutosh Kumar, J)

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