

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38101 of 2020

Arising Out of PS. Case No.-130 Year-2020 Thana- ROH District- Nawada

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1. GANGA CHAUDHARY S/o Late Mauni Chaudhary R/o Village - Niche Bazar, Roh, P.S. - Roh, Disttict - Nawada
 2. GULABI DEVI W/o Ganga Chaudhary R/o Village - Niche Bazar, Roh, P.S. - Roh, District - Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Rina Sinha, Adv.

For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 08-02-2021 Heard Ms. Rina Sinha, learned counsel for the petitioners and Mr. Nawal Kishore Prasad, Additional Public Prosecutor for the State.

2. Petitioners seek regular bail in connection with Roh PS Case No. 130/2020 registered for the offence punishable under Section 30(a) of Bihar Prohibition & Excise (Amendment) Act, 2016.

3. The allegation, as per First Information Report, is that the total quantity of 123.750 litres of illicit liquor has been recovered from the backside of the house of the petitioners.

4. Learned counsel for the petitioners submits that the petitioners have got no criminal antecedents and they have falsely been implicated in this case on the basis of the fact that



the said illicit liquor has been recovered from the backside of the house of the petitioners which is accessible to all and sundry. Learned counsel further submits that no illicit liquor has been recovered from the conscious possession of the petitioners inasmuch as the same has not been recovered from inside the house of the petitioners.

5. Learned counsel further submits that petitioners are in custody since 13.08.2020 having no criminal antecedents.

6. Having regard to the submissions made by the parties and taking into consideration the material on record and the fact that no illicit liquor has been recovered from the conscious possession of the petitioners inasmuch as the same has been recovered from an open place which is accessible to all and sundry and petitioners are in custody since 13.08.2020 having no criminal antecedents, I am inclined to grant regular bail to the petitioners.

7. Accordingly, let the petitioners, named above, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge, Nawada in connection with Roh PS Case No. 130/2020.



8. It is made clear that at the time of furnishing bail bonds, all the parties shall follow the guidelines of social distancing.

(Anil Kumar Sinha, J)

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