

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.251 of 2021

Arising Out of PS. Case No.-278 Year-2020 Thana- NOORSARAI District- Nalanda

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1. Dularchand Chauhan, Son of Raj Kumar Chauhan, Resident of Village - Charui Beldari, P.S.- Noor Sarai, Distt.- Nalanda.
 2. Ravi Chauhan, Son of Ram Jalam Chauhan, Resident of Village - Charui Beldari, P.S.- Noor Sarai, Distt.- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar No.1, Advocate.

For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 21-08-2021 As prayed for, let the learned counsel appearing for the petitioners remove the defect(s), as pointed out by the office, within four weeks of starting of the 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 Noor Sarai P.S. Case No. 278 of 2020, registered under Section 30(a) of the Bihar Excise Act, 2016.

The accusation is that on receiving secret information about selling of illicit liquor by Dularchand Chouhan (petitioner no.1), Ravi Chouhan (petitioner no.2) and



Arun Chouhan, in village Charui Belsar, the informant along with other police personnel reached there. On seeing the police party, two persons started to flee away, while on chased, they succeeded to flee away. On search of hut, two containers, one containing 10 litre and another containing 2 litre country made liquor were recovered. Thereafter, the house of Arun Chouhan was searched, from where, one gallon containing 4 litre country made liquor recovered. On query, Arun Chouhan and the persons present there disclosed the name of Dularchand Chouhan (petitioner no.1) and Ravi Couhan (petitioner no.2), who succeeded to flee away.

Learned counsel for the petitioners submits that petitioners were not apprehended at the spot, in fact, the alleged recovery of liquor was made in the house of Arun Chouhan but the names of the petitioners have surfaced in the present case due to dirty village politics. Further submission is that petitioners have no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioners be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like



amount each to the satisfaction of the learned 3rd Additional Sessions Judge-cum-Special Judge (Excise), Nalanda at Bihar Sharif, in connection with Noor Sarai P.S. Case No. 278 of 2020, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

Bhardwaj/-

(Rajendra Kumar Mishra, J)

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