

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58765 of 2021

Arising Out of PS. Case No.-201 Year-2021 Thana- TEGHRHA District- Begusarai

1. KISHAN CHAUDHARY @ KISHO CHAUDHARY S/o BATORAN CHOUDHARY R/o VILLAGE-CHAKDAD, P.S-TEGHRA, DISTRICT-BEGUSARAI.
2. SANJIV KUMAR CHAUDHARY @ SANJIV CHAUDHARY S/o KISHAN CHAUDHARY R/o VILLAGE-CHAKDAD, P.S-TEGHRA, DISTRICT-BEGUSARAI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mohit Shriwastava
For the Opposite Party/s : Mr.Pronoti Singh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 08-12-2021 Heard learned counsel for the petitioners and the State.

Learned counsel for the petitioners is directed to remove the defect(s), as pointed out by the office, within a period of eight weeks.

The petitioners are apprehending their arrest in connection with Teghra P.S. Case No. 201 of 2021 registered for the offence under Sections-30(a) & 30(C) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

The prosecution case, in short, is that 7 liters wine is recovered.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of



tampering of witnesses alleged against them. They have been falsely implicated in the present case. It is alleged that out of 7 litres, 3 litres wine is recovered from house of co-accused whereas 4 litres wine is recovered from joint house of the petitioners. Nothing incriminating has been recovered from the conscious possession of the petitioners. The petitioners had no knowledge regarding the alleged incident. There is no compliance of Section 100 Cr.P.C.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances of the case, let the petitioners above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned learned Additional Sessions Judge-II-cum-Special Judge, Excise Act, Begusarai in connection with Teghra P.S. Case No. 201 of 2021 , subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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