

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7092 of 2021

Arising Out of PS. Case No.-23 Year-2020 Thana- RAJAOLI District- Nawada

1. Pairu Chaudhary (Male), aged about 39 years, Son Of Bali Chaudhary, R/O Vill.- Pahvachak, P.S.- Rajauli, Dist.- Nawada.
2. Kuldip Chaudhary, (Male), aged about 44 years, Son Of Bali Chaudhary, R/O Vill.- Pahvachak, P.S.- Rajauli, Dist.- Nawada.

... .. Petitioners

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Birendra Kumar, Advocate

For the Opposite Party : Mrs. Dr. Indivar Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 26-11-2021 Learned counsel for the petitioners is directed to remove the defects, as pointed out by the office, within a period of eight weeks.

Heard learned counsel for the petitioners and learned counsel for the State through Virtual mode.

The petitioners are apprehending their arrest in connection with Rajauli P.S. Case No. 23/2020 for the offence registered under Sections 30(a) and 41 of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that total 100 liters wine is recovered from different *Bhatti*.



It has been submitted by learned counsel for the petitioners that the petitioners have got no criminal antecedent. They have falsely been implicated in the present case. There is no allegation of tampering with the witnesses alleged against the petitioners. It is alleged that total 100 liters wine is recovered from different *Bhatti*. The names of the petitioners have transpired in the present case on the basis of disclosure made by local *Choukidar*. Except for this, there is no other substantive evidence to suggest the implication of the petitioners in this case. Nothing incriminating has been recovered from the conscious possession of the petitioners. 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/ Complaint Case.

Considering the aforesaid facts and circumstances of the case, let the petitioners above named, in the event of arrest or 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/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge-IIInd-cum-Special Judge, Nawada, in connection with Rajauli P.S. Case



No. 23 of 2020, subject to the conditions as laid down under
Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

U.K./-

U		T	
---	--	---	--

