

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17704 of 2022

Arising Out of PS. Case No.-6 Year-2022 Thana- BELSAND District- Sitamarhi

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1. KULDEEP CHOUDHARY.
 2. Sandeep Choudhary @ Sanjiv Choudhary
Both are sons of Late Baleshwer Choudhary, Resident of Village-
Belsand Ward No.6, P.S.- Belsand, District- Sitamarhi.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Ranjeet Kumar Mishra, Advocate
For the Opposite Party	:	Mr. Sanjay Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 22-04-2022 Heard learned counsel for the parties.

Learned counsel for the petitioners is permitted to remove defect(s), as pointed out by the office, if any, within a period of four weeks from today.

This application for anticipatory bail arises out of Belsand P.S. Case No. 06 of 2022 for the offence punishable under Sections 30(a)/37(c) of the Bihar Prohibition & Excise Act, 2018.

It has been submitted by learned counsel for the petitioners that the hut from which recovery of liquor has been made belongs to co-villager Binod Choudhary.

Considering the aforesaid facts, this bail application is allowed.



Let the petitioners, above named, in the event of their arrest/surrender within four weeks from today in the Court below, 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 the learned Exclusive Special Excise Court-II, Sitamarhi, in connection with Belsand P.S. Case No. 06 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is also subject to the condition that the petitioner will join the investigation by producing the documents regarding the ownership of the hut, in question, to the Investigating Officer, who will investigate the same. If during investigation, the contention of the petitioner is found to be false, then the bail bonds of the petitioner shall be cancelled after charge-sheet is submitted. However, if the contention of the petitioner is found to be correct, then he will remain on the same bail even after submission of the charge-sheet.

(Sandeep Kumar, J)

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