

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28550 of 2022

Arising Out of PS. Case No.-432 Year-2021 Thana- FATEHPUR District- Gaya

1. Uday Chaudhary @ Uday Chaudhari Son Of Late Butta Chaudhary @ Late Rajendra Chaudhary Resident Of Village - Jamheta, P.S.- Fatehpur, Distt.- Gaya.
2. Anil Chaudhary Son Of Late Butta Chaudhary Resident Of Village - Jamheta, P.S.- Fatehpur, Distt.- Gaya.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar No.2
For the Opposite Party/s : Ms. Pushpa Sinha.1

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 12-08-2022 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners seek bail in anticipation of their arrest
in a case registered for the offences punishable under Section
30(a) of the Excise Act.

The learned counsel for the petitioners submits that
the petitioner no.1 has antecedent of two cases and petitioner
no.2 has antecedent of one case and the allegation is of recovery
of 100 litre of liquor from polythene hidden beside the house of
the petitioners.

The learned counsel for the petitioners submits that
the petitioners were not arrested from the spot, as such, nothing



was recovered from their possession. It is next submitted that the petitioners are brothers and the place from where the alleged recovery was made was beside the house of the petitioners, as such, they came to be implicated based on secret information, which is the easiest way to implicate an innocent person.

The learned Additional Public Prosecutor opposes the anticipatory bail application.

Considering the submissions made by the learned counsel for the petitioners, the petitioners, above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Fatehpur P. S. Case No.432 of 2021, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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