

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71171 of 2021

Arising Out of PS. Case No.-243 Year-2021 Thana- SAHAR District- Bhojpur

1. JHAGARU CHAUDHARY Son of Late Keshary Chaudhari Resident of Village - Dhauri, Police Station - Sahar, District- Bhojpur.
2. Prabhu Sharma Son of Jai Nath Sharma Resident of Village - Dhauri, Police Station - Sahar, District- Bhojpur.
3. Sahendra Chaudhary Son of Devmuni Chaudhary Resident of Village - Dhauri, Police Station - Sahar, District- Bhojpur.
4. Sheo Kumar Chaudhary Son of Bhola Chaudhary Resident of Village - Dhauri, Police Station - Sahar, District- Bhojpur.
5. Sunil Paswan @ Sunil Chaudhary son of Masti Paswan Resident of Village - Dhauri, Police Station - Sahar, District- Bhojpur.
6. Gorakh Chaudhary Son of Badsah Chaudhary Resident of Village - Dhauri, Police Station - Sahar, District- Bhojpur.
7. Shambhu Chaudhary Son of Ram Kishun Chaudhary Resident of Village - Dhauri, Police Station - Sahar, District- Bhojpur.
8. Shiv Shankar Chaudhary Son of Bhukhan Chaudhary Resident of Village - Dhauri, Police Station - Sahar, District- Bhojpur.
9. Mantosh Chaudhary Son of Gorakh Chaudhary Resident of Village - Dhauri, Police Station - Sahar, District- Bhojpur.
10. Triloki Singh Son of Shiv Shankar Singh Resident of Village - Dhauri, Police Station - Sahar, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nihar Nandan Ambasta, Adv.
For the Opposite Party/s : Mr.Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 22-03-2022 The application with regard to petitioner no.3, namely, Sahendra Chaudhary has already been dismissed as withdrawn vide order dated 03.03.2022.

Learned counsel for the petitioners does not press the

application with regard to petitioner no.9, namely, Mantosh Chaudhary.

Accordingly, the application with regard to petitioner no.9, namely, Mantosh Chaudhary is dismissed as not pressed.

Heard both sides.

Petitioner nos.1, 2, 4 to 8 and 10 apprehend their arrest in Sahar P.S. Case No.243 of 2021 registered under Sections 30(a) and 30(b) of the Bihar Prohibition and Excise Act.

Learned counsel for the petitioners submits that the petitioners have committed no offence and have falsely been implicated in this case. It is further submitted that the alleged recovery has been made from *diyara* area near Sone river. The petitioners have got no criminal antecedent.

Having considered the above facts and circumstances of the case, petitioner nos.1, 2, 4 to 8 and 10, above named, in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing personal bonds to the satisfaction of learned 4th Additional Sessions Judge-cum-Special Judge, Excise, Bhojpur, Ara in connection with Sahar P.S. Case No.243

of 2021, subject to the conditions as laid down under Section
438 (2) of the Code of Criminal Procedure.

(Arvind Srivastava, J)

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