

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27280 of 2023

Arising Out of PS. Case No.-10 Year-2023 Thana- SITAMARHI District- Sitamarhi

1. Golu Choudhary, Son Of Surendra Choudhary Resident Of Village - Gaushala, Ward No. 18, P.S. - Sitamarhi, Distt. - Sitamarhi
2. Ritik Choudhary, Son Of Surendra Choudhary Resident Of Village - Gaushala, Ward No. 18, P.S. - Sitamarhi, Distt. - Sitamarhi

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha

For the Opposite Party/s : Mr.Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-05-2023 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, 2018.

The learned counsel for the petitioners submits that the petitioner no.1 has antecedent of one case and petitioner no.2 is a person with clean antecedent and the allegation is of recovery of 77.100 litre of liquor from a hut alleged to be of the petitioners.

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



recovered from their conscious possession. It is next submitted that petitioners are living separately from their father and the father of the petitioners were arrested when alleged recovery was made. It is further submitted that since the hut belongs to the father of the petitioners, as such, the petitioners were also implicated in a mechanical manner, when admittedly, petitioner no.2 is a person with clean antecedent.

Learned A.P.P. opposes the 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, is 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 the learned Special Judge, Exclusive Excise Court No.II, Sitamarhi in connection with Sitamarhi P. S. Case No.10 of 2023, 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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