

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5349 of 2025

Arising Out of PS. Case No.-129 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Begusarai

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1. Ram Kishun Chaudhary @ Ram Krishna Chaudhary S/O Late Devnarayan Chaudhary R/O Village- Rashidpur, Chakdilaar, P.S- Bachwara, Distt.- Begusarai.
 2. Kishun Chaudhary @ Shri Krishna Chaudhary S/O Late Devnarayan Chaudhary R/O Village- Rashidpur, Chakdilaar, P.S- Bachwara, Distt.- Begusarai.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinod Kumar Seth, Advocate

For the Opposite Party/s : Ms/Mrs. Asha Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 25-02-2025 Learned counsel for the petitioners has filed mentioning slip. He submits that country made liquor was recovered from the house of petitioner no.2, whereas there is no recovery of country made liquor from the house of petitioner no.1, which fact has wrongly been typed in order dated 19.2.2025.

2. This fact is corrected accordingly. Consequently, operative part of this order is also corrected as indicated herein below.

3. Since there is recovery of country made liquor from the house of petitioner no.2, considering the Full bench derision of this Court rendered in the case of **Ram Vinay Yadav Vs. The**



State of Bihar, reported in **2019(2) PLJR 1089 (FB)**, pre-arrest bail of petitioner no.2 being not maintainable, is dismissed.

4. However, since there is no recovery of country made liquor from the house of petitioner no.1, his prayer for pre-arrest bail is allowed. In the event of arrest/surrender within eight weeks from today, let petitioner no.1, mentioned above, be released on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the stisfaction of the Exclusive Special Excise Court No.2, Begusarai in Excise Police Station Case No. 129 c2 of 2020, subject to the conditions laid down under section 438(2) of the Cr.P.C.

5. Order dated 19.2.2025 is corrected to this extent.

(Prabhat Kumar Singh, J)

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