

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.36891 of 2018

Arising Out of PS. Case No.-106 Year-2018 Thana- MOTIHARI MUFASIL District- East Champaran

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1. Shyam Binay Paswan @ Shyam Vinay Paswan @ Shyam Vinay, Son of Shiv Paswan
 2. Mohan Paswan, Son of Rajendra Paswan
 3. Ajay Paswan, Son of Bigal Paswan
- All resident of Village- Bankat Mathiya, Ward No.3, P.S.- Muffassil, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s :

Sri Krishna Kant Singh

For the Opposite Party/s :

Sri Uday Chand Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR

ORAL ORDER

2 29-06-2018 Heard Sri Krishna Kant Singh, learned counsel for the petitioners and Sri Uday Chand Prasad, learned Additional Public Prosecutor.

Three petitioners, who are having clean antecedent, which fact has been stated in paragraph no. 3 of the petition, apprehending their arrest in connection with Muffassil P.S. Case No. 106 of 2018, registered for the offence under Section 272, 273 of the Indian Penal Code, 1860 and Section 30(a) of the Bihar Prohibition and Excise Act, 2016, have prayed for grant of bail in the event of their arrest or surrender.

It was submitted by learned counsel for the petitioners that from an open field recovery of 8 liters of country made liquor was affected and petitioners along with two



others were arrayed as accused as if some of the villagers disclosed their name. Learned counsel for the petitioners reiterates that in the F.I.R. it has not been indicated as to who was the person who disclosed the name of petitioners. He submits that vaguely petitioners in village politics have been made accused.

Be that as it may, considering the nature of accusation as well as clean antecedent of petitioners, in the event of their arrest or surrender within a period of six weeks from today, let aforesaid three petitioners namely (1) Shyam Binay Paswan @ Shyam Vinay Paswan @ Shyam Vinay , (2) Mohan Paswan and (3) Ajay Paswan be enlarged on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned 4th Additional Sessions Judge – cum- Special Judge, Excise, East Champaran, Motihari / concerned court in connection with Muffassil P.S. Case No. 106 of 2018 subject to the conditions as contemplated under Section 438 (2) of the Code of Criminal Procedure, 1973.

(Rakesh Kumar, J)

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