

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.35649 of 2018**

Arising Out of PS. Case No.-231 Year-2018 Thana- KHAGARIA District- Khagaria

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1. Sanjay Paswan, Son of Late Ram Narayan Paswan
  2. Rambharosh Paswan, Son of Ramdeep Paswan
- Both residents of Village- Bela Simri, Tola- Charapatti, Police  
Station- Gangour, District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Sri Viveka Nand Singh

For the Opposite Party/s : A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR**  
**ORAL ORDER**

2      28-06-2018                      Heard Sri Viveka Nand Singh, learned counsel for the  
petitioners and learned Additional Public Prosecutor.

Two petitioners, having clean antecedent, which fact has been stated in paragraph no. 3 of the petition, apprehending their arrest in connection with Khagaria ( Gangour ) P.S. Case No. 231 of 2018 , G.R. No. 1024 of 2018, registered for the offence under 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.

Learned counsel for the petitioners submits that save and except suspicion , there is no other material to connect the petitioners in the present case. He submits that in the case from an area which was under possession of one Babita Devi liquor



was found concealed in husk and both petitioners along with one another were made accused on suspicion. It has been reiterated that save and except suspicion, there is no other material to connect petitioners in the present case.

Considering the nature of accusation, clean antecedent of petitioners as well as the fact that nothing has been recovered from conscious possession of petitioners, in the event of their arrest or surrender within a period of six weeks from today, let both petitioners (1) Sanjay Paswan and (2) Rambharosh 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 Additional Sessions Judge III – cum- Special Judge, Excise, Khagaria / concerned court in connection with Khagaria ( Gangour ) P.S. Case No. 231 of 2018, G.R. No. 1024 of 2018 subject to the conditions as contemplated under Section 438 (2) of the Code of Criminal Procedure, 1973.

**(Rakesh Kumar, J)**

praful/-

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