

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45235 of 2018

Arising Out of PS. Case No.-515 Year-2018 Thana- SITAMARHI District- Sitamarhi

1. Prem Paswan S/o Kalar Paswan @ Colour Paswan
2. Sanjit Paswan S/o Ram Bhagat Paswan, both are resident of village Bhasar Got, P.S. Sitamarhi, District Sitamarhi

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Kumar

For the Opposite Party/s : Mr. Md. Anzarul Haque Sahara

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 25-07-2018 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 341, 342, 323, 353, 504/34, 290, 291 of the I.P.C. and Sections 30(a), 37(b), 37(c), 45 of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that the petitioners were found in drunken state.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent and there is no allegation of tampering of witnesses alleged against the petitioners. It is alleged that the petitioners were apprehended in drunken state. Subsequently on the intervention of the co-



villagers, they were rescued. There is no recovery of liquor from the possession of the petitioners. There is no other substantive evidence to suggest the implication of the petitioners in this case. The petitioners have been made accused due to mistake of fact.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J. II-cum-Special Judge, Excise Act, Sitamarhi in connection with Sitamarhi P.S. case No.515 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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