

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8137 of 2019

Arising Out of PS. Case No.-1090 Year-2018 Thana- SITAMARHI District- Sitamarhi

1. Ajay Paswan, Gender-Male, aged about 30 years, Son of Mohit Paswan.
2. Sanjiv Paswan @ Rajiv Paswan, Gender-Male, aged about 25 years, Son of Rajendra Paswan
Both residents of Mohalla- Paswan Tola, Mohanpur, Ward no. 8, P.S.- Sitamarhi, District-Sitamarhi.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Parties

Appearance :

For the Petitioner/s : Mr.Bimal Kumar, Adv.
For the Opposite Party/s : Mr.A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3 05-04-2019 Heard Sri Bimal Kumar, learned counsel for the petitioners and learned Addl. Public Prosecutor.

Two petitioners, having clean antecedent, which fact has been stated in paragraph-3 of the petition, apprehending their arrest in Sitamarhi P.S. Case No.1090 of 2018 registered for the offence under Sections 272, 273 of the Indian Penal Code and Sections 30(a) and 37(b)(c) 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 nothing was recovered from the conscious possession of the petitioners and they have been made accused only on the basis



of confessional statement made by one of the co-accused.

In view of nature of accusation, clean antecedent of the petitioners as well as the fact that petitioners have been made accused on the basis of confessional statement, there is no reason to refuse the prayer for anticipatory bail.

Accordingly, in the event of their arrest or surrender within a period of six weeks from today, let both the aforesaid petitioners, namely, Ajay Paswan and Sanjiv Paswan @ Rajiv Paswan be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each 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.1090 of 2018, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Rakesh Kumar, J.)

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