

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26537 of 2019

Arising Out of PS. Case No.-540 Year-2018 Thana- PUPRI District- Sitamarhi

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1. KAMLESH PASWAN S/O Late- Yogendra Paswan Resident of Village- Awapur, P.S.- Pupari, District- Sitamarhi.
 2. Ram Babu Mahto S/O- Ram Kishore Mahto, Resident of Village- Awapur, P.S.- Pupari, District- Sitamarhi.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Virendra Kumar

For the Opposite Party/s : Mr.Khurshid Anwar

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 23-04-2019

This application, for grant of anticipatory bail, arises out of Pupri P.S. Case No. 540 of 2018, disclosing offences under Sections 272 and 273 of the Indian Penal Code and Section 30(a), 38 and 41 of the Bihar Prohibition and Excise Act.

Allegation is of recovery of 28.5 litres of Nepali Saufi liquor from co-accused Manoj Mandal, who disclosed that he is going to deliver the same to petitioners.

Submission of learned counsel for the petitioners is that they have no criminal antecedent and have been made accused only on the basis of disclosure made by the co-accused and except that there is nothing against the petitioners and



further nothing has been recovered either from the possession of the petitioners or from their house.

Heard learned A.P.P. also.

Having heard both sides, in view of the above facts, this application is allowed. Let the petitioners, above named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty five Thousand) each with two sureties of the like amount each to the satisfaction of learned ADJ-II cum Special Judge, Excise Act, Sitamarhi, in connection with Pupri P.S. Case No. 540 of 2018, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Vinod Kumar Sinha, J)

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