

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.43272 of 2019**

Arising Out of PS. Case No.-54 Year-2019 Thana- KATRA District- Muzaffarpur

1. SAWAN THAKUR @ SAWAN KUMAR THAKUR Son of Laxmeshwar Thakur Resident of Village - Yajuar Madhya, P.S.- Katra, Dist.- Muzaffarpur.
2. Anshu Thakur @ Lalu Thakur @ Manish Thakur Son of Ashish Thakur @ Baua Thakur, Resident of Village - Yajuar Madhya, P.S.- Katra, Dist.- Muzaffarpur.

... .. Petitioners.

Versus

The State of Bihar.

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Alok Kumar Alok  
For the Opposite Party/s : Mr. Yogendra Kumar

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL**

ORAL ORDER

3      03-09-2019                      Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Section 272 & 273 of the Indian Penal Code and Section 30 (a) and 38 (i) of the Bihar Prohibition and Excise Act.

Huge quantity of foreign liquor is said to have been recovered from the Verandah of the abandoned house of Sawan Thakur and one Chullahi Mandal was apprehended while 8-10 persons managed to escape. The apprehended



accused disclosed the name of the petitioners and other persons as purchasers of the said liquor.

No incriminating article has been recovered from the conscious physical possession of the petitioners. Petitioners have no concern either with the seized liquor or the place of recovery or any trade of liquor. There is nothing on record indicating the complicity of the petitioners in the occurrence barring the disclosure made by the Chullahi Mandal due to animosity. Hence, no offence under Excise Act is made out against the petitioners. Petitioners have no criminal antecedent. Similarly situated co-accused Raushan Thakur @ Rakesh Roushan Thakur and Tipu Paswan have been enlarged on bail by coordinate Bench of this Court vide order dated 22.05.2019 passed in Cr. Misc. Nos. 33691 of 2019.

Learned APP for the State opposed the bail petition.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Special Judge



Excise, Muzaffarpur in connection with Katra P.S. Case No. 54  
of 2019, subject to the condition as laid down under Section 438  
(2) of the Cr.P.C.

**(Prakash Chandra Jaiswal, J)**

Trivedi/-

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