

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40685 of 2019

Arising Out of PS. Case No.-39 Year-2019 Thana- PANDAUL District- Madhubani

1. AMAR PASWAN @ AMAR KUMAR PASWAN Son of Puran Paswan
Resident of Mohalla - Karpuri Chouk, Pandaul, P.S.- Pandaul, Distt -
Madhubani.
2. Santosh Panjiyar @ Santosh Kumar Panjiyar Son of Baidnath Panjiyar
Resident of Mohalla - Pandaul, P.S.- Pandaul, Distt - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Subhash Kumar Jha
For the Opposite Party/s : Mr.Bishweshwar Ram

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 02-07-2019 This application, for grant of anticipatory bail, arises

out of Pandaul P.S. Case No. 39 of 2019, disclosing offences

under Sections 272, 273 of the Indian Penal Code and Section

30(a), 36, 38(i), 41(i) of the Excise Act.

Allegation is that police on information that

petitioners and co-accused were selling the liquor at Salhesh

Asthan, raided the police and apprehended one person and

recovered 1 litre and 260 ML of liquor and petitioners

succeeded in fleeing away and the name of petitioners have

been disclosed by the apprehended co-accused. Apart from that

petitioner no. 2 is accused in two more cases of similar nature.

Submission of learned counsel for the petitioners is



that from the F.I.R. itself it is evident that nothing has been recovered from the petitioners and their names have been disclosed by the co-accused.

Heard learned A.P.P. also.

Having heard both sides, so far petitioner no. 2 is concerned, considering the facts and circumstances as well as the fact that petitioner no. 2 is an accused in two more cases of similar nature, I am not inclined to grant the privilege of anticipatory bail to the petitioner no. 2 rather he may surrender before the court below and make prayer for regular bail and if any such application is filed, the court below will dispose of the same on the merit of the case, without being prejudiced by this order.

So far petitioner no. 1 is concerned, in the event of his arrest or surrender before the court below within six weeks, he is directed to 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 District and Sessions Judge -II cum Special Judge Excise Act, Madhubani, in connection with Pandaul P.S. Case No. 39 of 2019, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.



With the above observation and direction, this
application is disposed of.

(Vinod Kumar Sinha, J)

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