

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59442 of 2019

Arising Out of PS. Case No.-146 Year-2019 Thana- PATAHI District- East Champaran

1. CHANDAN SINGH Son of Shambhu Kumar @ Shambhu Singh Resident of Village - Khutauna, P.S.- Patahi, Distt - East Champaran.
2. Varun Singh @ Barun Kumar @ Barun Son of Late Umeshwar Singh Resident of Village - Khutauna, P.S.- Patahi, Distt - East Champaran.
3. Keshav Singh @ Keshav Kumar Singh Son of Late Umeshwar Singh Resident of Village - Khutauna, P.S.- Patahi, Distt - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma
For the Opposite Party/s : Mr.Sangeeta Sharma

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 19-09-2019 This application, for grant of anticipatory bail, arises out of Patahi P.S. Case No. 146 of 2019, disclosing offences under Sections 37(d), 30(a), 38, 41 of the Bihar Prohibition of Excise Act, 2016.

Allegation is of recovery of 48 litres of Nepali liquor from the straw house of petitioner no. 1. Apart from that petitioner is accused in four other cases also and the names of petitioner no. 2 and 3 has been disclosed by the villagers alleging that they are also involved in liquor trade.

Submission of learned counsel for the petitioners is that they have falsely been implicated in this case and except petitioner no. 1, others have no criminal antecedent and there is no recovery



from the house of petitioner nos. 2 and 3 and have been roped in this false case at the instance of villagers.

Heard learned A.P.P. also.

Having heard both sides, in view of the above facts, so far petitioner nos. 2 and 3 are concerned, in the event of their arrest or surrender before the court below within six weeks, they are 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 Special Judge Excise, Motihari, in connection with Patahi P.S. Case No. 146 of 2019, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

So far petitioner no. 1 is concerned, I am not inclined to grant the privilege of anticipatory bail to him 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.

This application is accordingly disposed of.

(Vinod Kumar Sinha, J)

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