

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75960 of 2019

Arising Out of PS. Case No.-278 Year-2019 Thana- SASARAM MUFFSIL District- Rohtas

1. Ram Bachan Chaudhary @ Ram Vachan Chaudhary, S/o Late Shiv Nath Chaudhary
2. Basant Sah, S/o Baban Sah
3. Nagendra Sah @ Nagendra Sao, S/o Late Shivnandan Sah
All are resident of village- Amra Talab Basa, P.S.- Sasaram Muffasil,
District- Rohtas at Sasaram

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vipin Kumar Singh

For the Opposite Party/s : Mr.Yogendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 25-11-2019 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners in this case are seeking anticipatory
bail in connection with Sasaram Muffasil P.S. Case No.278 of
2019 registered for the offences punishable under Section 30(a)
of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioners submits that the
petitioners are innocent and have committed no offence as
alleged in the FIR. Learned counsel submits that there is no
recovery of illicit liquor from the conscious possession of the
petitioners and they have been implicated in this case merely on



suspicion.

Learned APP for the State is present and has opposed the prayer for anticipatory bail of the petitioners.

Considering the facts and circumstances of the case wherein it is the submission of the petitioners that nothing incriminating has been recovered from the house of the petitioners, they have no criminal antecedent and their names have been brought in this case on mere suspicion and that there is no independent material to connect them in the present case at this stage, let the petitioners in the event of their arrest or surrender within a period of four weeks from today, be enlarged on bail on furnishing of bail bonds of Rs. 15,000/- (fifteen thousand) each with two sureties of the like amount each to the satisfaction of learned 2nd Additional District & Session Judge-cum-Special Judge, Excise, Rohtas at Sasaram in connection with Sasaram Muffasil P.S. Case No.278 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any



person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

(Rajeev Ranjan Prasad, J)

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