

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76204 of 2019

Arising Out of PS. Case No.-189 Year-2019 Thana- MAHESI District- East Champaran

1. VIKASH KUMAR S/o Bhola Thakur R/o village- Mojahida, P.S.- Mehsi (Jai Bajrang O.P.), District- East Champaran.
2. Dhiraj Kumar S/o Jainarayan Rai R/o village- Mojahida, P.S.- Mehsi (Jai Bajrang O.P.), District- 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.Rajendra Singh

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

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

The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Mehsi (Jai Bajrang O.P.) P.S. Case No. 189 of 2019, registered for the offence punishable under Sections 30 (a) and 41 of the Bihar Prohibition and Excise Act, 2016.

As per allegation made in the F.I.R., on being confronted by the police three out of four accused persons managed to escape while one accused namely Sanjit Kumar was arrested with 24.375 litres of IMFL liquor in a bag.

It is submitted by learned counsel for the petitioner



that the name of the petitioners transpired in the confessional statement of the co-accused Sanjit Kumar made before the police. There is neither any recovery from the personal possession of the petitioner nor any other material against them. Petitioners have no criminal antecedent.

The application for bail has been opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the above facts of the case, this Court is inclined to grant anticipatory bail to the petitioners and they are directed to surrender in the court below within a period of six weeks from today and in the event of their arrest or surrender, they shall be enlarged on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned 9th Additional Sessions Judge-cum-Special Judge, Excise Act, East Champaran, Motihari in connection with Mehsi (Jai Bajrang O.P.) P.S. Case No. 189 of 2019, subject to the condition laid down under section 438 (2) of the Cr.P.C.

(Partha Sarthy, J)

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