

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77647 of 2019

Arising Out of PS. Case No.-106 Year-2019 Thana- KANHAULI District- Sitamarhi

1. UPENDRA PASWAN Son of Gudari Paswan @ Gurri Paswan Resident of Village-Bagaha, P.S.-Kanhauli, District-Sitamarhi.
2. Indrajit Paswan @ Indrajit Kumar Son of Upendra Paswan Resident of Village-Bagaha, P.S.-Kanhauli, District-Sitamarhi.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Shankar Kumar, Advocate

For the Opposite Party/s : Mr.Akhileshwar Dayal. APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 28-11-2019 Heard learned counsel for the petitioners and
learned Additional Public Prosecutor for the State.

The petitioners are seeking anticipatory bail in connection with Kanhauli P.S. Case No. 106/2019 registered under Sections 30(A) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioners submits that petitioners have been falsely implicated in this case, the said liquor was not recovered from inside of the house. Petitioner no. 1 is father of petitioner no. 2, however they have no criminal antecedent.

Learned A.P.P. for the State has opposed the



prayer for anticipatory bail of the petitioner.

Considering the facts and circumstances of the case, the quantity of liquor and the submission that the said liquor was recovered not from inside of the house of the petitioner but from outside the house of the petitioner and further that the petitioners have no criminal antecedent, let the above-named petitioners, in the event of their arrest/surrender before the court below within a period of four weeks, be enlarged on bail furnishing bail bond of Rs. 15,000/- (Rupees Fifteen Thousand only) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge – II – cum -Special Judge, Excise Act, Sitamarhi, in connection with Kanhauli P.S. Case No. 106/2019, subject to 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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