

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3340 of 2020

Arising Out of PS. Case No.-410 Year-2017 Thana- BRAHMPUR District- Buxar

1. Dhanjee Mushar Son of Ramjee Ram Resident of Village - Raghunathpur Dakhini Mushari Tola, P.S.- Brahmpur, District - Buxar
2. Ramawatar Mushar @ Ram Awatar Ram Mushar Son of Nand Jee Ram Resident of Village - Raghunathpur Dakhini Mushari Tola, P.S.- Brahmpur, District - Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar Singh

For the Opposite Party/s : Mr.Asha Kumari

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 05-03-2020 Heard learned counsel for the petitioners and learned APP for the State.

The petitioners have filed the instant application for grant of anticipatory bail apprehending their arrest in connection with Brahmpur P.S. Case No.410 of 2017 registered for the offence under sections 272 and 273 of the Indian Penal Code and sections 30(a) and 37(c) of the Bihar Prohibition and Excise Act, 2016.

As per allegation in the F.I.R, on a raid being conducted it is stated that 10 litres of Mahua liquor was recovered from the house of petitioner no.1 and 1 litre of Mahua liquor was recovered from the house of petitioner no.2.

It is submitted by learned counsel for the petitioners that



the allegations of recovery is false and concocted. The petitioners have no criminal antecedent and similarly situated co-accused have been enlarged on bail by order dated 19.11.2019 passed in Cr.Misc. No.65790 of 2019.

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

Having heard learned counsel for the parties, in the facts and circumstances of the case especially in view of the fact that similarly co-accused having been granted bail and petitioners have no criminal antecedent, this Court is inclined to enlarge the petitioners on bail. The petitioners 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 in connection with Brahmpur P.S. Case No.410 of 2017 they will be enlarged on bail on furnishing bail bond of Rs 10,000.- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.D.J.II cum Special Judge, Excise, Buxar, subject to the conditions as laid down in section 438 (2) of Criminal Procedure Code.

(Partha Sarthy, J)

Bibhash/-

U		T	
---	--	---	--

