

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.15346 of 2020

1. Viccky Kumar (Aged about 27 years, Gender-Male), Son of Chunni Yadav, Resident of Village-Shanti Nagar, Police Station-Pakariwaran, District-Nawada.

2. Bahadur Kumar (Aged about 22 years, Gender-Male), Son of Yaddu Yadav, resident of village-Hospital Road, P.S. Pakariwaran, District-Nawada

..... Petitioners

Versus

The State of Bihar

..... Opposite party

Appearance

For the Petitioners : Mr. Man Mohan Kumar, Advocate

For the State : Mr. Ram Bachan Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

2 10.09.2020 Heard learned counsel for the petitioners and learned A.P.P for the State through video conferencing.

The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Pakaribarawan P.S. Case No.335 of 2019, registered under section 30(a) of the of Bihar Prohibition and Excise Act, 2016.

As per allegation in the F.I.R, on secret information having been received, a raid was conducted and it is stated that a total of 110 litres of counter liquor was recovered from the



house of Usman Rayeen. It is further stated that people gathered there disclosed that the four named accused persons including the two petitioners herein as also one Umesh Master are involved in the sale of liquor.

It is submitted by learned counsel for the petitioners that the allegation as levelled in the F.I.R. are false and concocted. No recovery has taken place from the person or the possession of these petitioners. The case of the petitioners stand on a similar footing to that of co-accused Umesh Master who has been enlarged on bail vide order dated 26.2.2020 (Annexure-4) to the supplementary affidavit.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and in the facts and circumstances of the case, the Court is inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below within a period of eight weeks from today and in the event of their arrest or surrender in connection with Pakaribarawan P.S. Case No.335 of 2019, they will be enlarged on bail on each of them furnishing bail bond of Rs 10,000/ (Rupees Ten Thousand) with two sureties of the



like amount each to the satisfaction of the learned Additional District Judge-II-cum-Special Judge, Excise Act, Nawada, subject to the conditions as laid down in section 438 (2) of Criminal Procedure Code.

(Partha Sarthy, J)

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