

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14626 of 2020

Arising Out of PS. Case No.-396 Year-2018 Thana- TAJPUR District- Samastipur

1. RAMBALI PASWAN @ RAM BALLI PASWAN Son of Late Suba Paswan Resident of Village- Kaua, Jorpura, Ward No. 10, P.S.- Tajpur (Halai), District- Samastipur.
2. Dhiraj Kumar Son of Rambali Paswan @ Ram Balli Paswan Resident of Village- Kaua, Jorpura, Ward No. 10, P.S.- Tajpur (Halai), District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Narain Sinha, Advocate

For the Opposite Party/s : Mr. Rajendra Prasad Nat, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

5 10-12-2020 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 Tajpur (Halai O.P.) P.S. Case no. 396 of 2018 registered for the offence under sections 30(a) and 37(A) of the Bihar Prohibition and Excise Act, 2016.

As per the allegation in the FIR, 7.85 litres of illicit liquor was recovered from the possession of the three named accused persons who on enquiry are said to have taken the name of the petitioners herein as the persons who deal in liquor.

It is submitted by learned counsel for the petitioners that the petitioners are not named in the FIR and except for the so called statement of a co-accused made before police, there is no other material against them. No recovery of any incriminating article has taken place from their possession and



they 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 in the facts and circumstances of the case as stated above, this 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 Tajpur (Halai O.P.) P.S. Case no. 396 of 2018 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 learned 2nd Additional Sessions Judge-cum-Special Judge, Excise, Samastipur subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Partha Sarthy, J)

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