

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19128 of 2020

Arising Out of PS. Case No.-342 Year-2019 Thana- RIGA District- Sitamarhi

1. SANJAY PASWAN Son of Ram Ekbal Paswan R/o Village-Ramnagar Birta Tola, P.S-Riga, District-Sitamarhi.
2. Sushil Paswan S/o Mahendra Paswan R/o Village-Ramnagar Birta Tola, P.S-Riga, District-Sitamarhi.
3. Ajay Paswan S/o Late Ram Narayan Paswan R/o Village-Ramnagar Birta Tola, P.S-Riga, District-Sitamarhi.
4. Shivshankar Paswan S/o Horil Paswan R/o Village-Ramnagar Birta Tola, P.S-Riga, District-Sitamarhi.
5. Shanker Paswan S/o Sidheshwar Paswan @ Hazari Paswan R/o Village-Ramnagar Birta Tola, P.S-Riga, District-Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha, Adv.
For the Opposite Party/s : Mr. Ajay Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 21-07-2020 Heard learned counsel for the petitioners and learned
APP for the State, through video conferencing.

The petitioners have filed the instant application for grant of anticipatory bail apprehending their arrest in connection with Riga P.S. Case No. 342 of 2019 registered under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per allegation in the FIR, secret information was received that the five petitioners herein had assembled a machine for work of production of illicit liquor. It is stated that a



raid was conducted and on seeing the police personnel, the five accused persons escaped. Incriminating article was seized and seizure list prepared.

It is submitted by learned counsel for the petitioners that the allegations as levelled in the FIR are false and concocted. Admittedly, the sugarcane field which is stated to be the place of manufacture of illicit liquor belongs to one Sanjeet Paswan. It is further submitted that from the seizure list it would transpire that a total quantity of one litre of country liquor is stated to have been recovered from five plastic containers. No other article was recovered. The petitioners have no criminal antecedent.

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

Having heard learned counsel for the parties and taking into consideration the allegations in the FIR together with the contents of the articles seized as mentioned in the seizure list and the petitioners not having any criminal antecedent, the Court is inclined to enlarge the five petitioners on anticipatory 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 Riga P.S. Case No.



342 of 2019, they shall be enlarged on bail on each of them furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge (Excise Act), Sitamarhi subject to the condition as laid down under section 438(2) of the Cr.P.C.

(Partha Sarthy, J)

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