

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19107 of 2020

Arising Out of PS. Case No.-39 Year-2020 Thana- THAWE District- Gopalganj

1. Ajay Bharti Son of Pashuram Bharti @ Parshuram Bharati Resident of Village - Chanawe, P.S.- Thawe, District- Gopalganj
2. Shailendra Giri @ Shalendra Giri Son of Late Pashuram Giri Resident of Village - Karkach Madhopur, P.S.- Barauli, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Lokesh Kumar Singh

For the Opposite Party/s : Mr.Renu Kumari

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 03-06-2020 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 regular bail in connection with Thawe P.S. Case No. 39 of 2020 registered under sections 30(a) and 37(b) of the Bihar Prohibition and Excise Act, 2016.

As per allegation in the FIR, on seeing the police personnel four accused persons started to flee and of them the police managed to catch hold of three accused including the two petitioners herein. It is stated that a total of 34 litres of liquor was recovered from a hut and three persons were caught consuming liquor.



It is submitted by learned counsel for the petitioners that the allegations as levelled in the FIR are false and concocted. They have no criminal antecedent and are in custody since 5.3.2020. It is further submitted that the case of the petitioners stand on similar footing to that of the co-accused Punit Kumar, who has been enlarged on bail vide order dated 14.5.2020 passed in Cr. Misc. No. 18707 of 2020.

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

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case including the petitioners not having any criminal antecedent and grant of bail to the co-accused, the Court is inclined to enlarge the petitioners on bail. The two petitioners are directed to be enlarged on bail in connection with Thawe P.S. Case No. 39 of 2020 on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge-cum-Special Judge (Excise), Gopalganj.

(Partha Sarthy, J)

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