

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 27698 of 2020

Arising Out of PS. Case No.-344 Year-2019 Thana- BOCHAHAN District- Muzaffarpur

1. ANIL SAH @ ANIL KUMAR SAH S/o Shivji Sah R/o Village- Chaumukh, P.S.- Bochahan, District- Muzaffarpur, Bihar.
2. Sachin Kumar @ Sintu Kumar S/o Bhupnarayan Ray R/o Village- Mahuli, P.S.- Hathaudi, District- Muzaffarpur, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sumit Shekhar Pandey, Advocate

For the Opposite Party/s : Mr. Surendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 26-11-2020 Heard counsel for the petitioners and counsel appearing on behalf of the State.

The petitioners are apprehending arrest in connection with Bochahan P.S. Case No. 344 of 2019 for offences under Sections 272 and 273 IPC as well as sections 30(a) of Bihar Prohibition & Excise Act, 2016.

In the instant case, there is recovery of 109.800 liters of liquor. Learned counsel for the petitioners would submit that recovery was not made from the conscious possession of these petitioners. They have been made accused in the instant case only on suspicion. There is an antecedent of two cases against these petitioners.



Considering the fact that nothing was recovered from the conscious possession of these petitioners, the Court is inclined to grant anticipatory bail to the petitioners, subject to the conditions that each petitioners shall deposit cash of Rs.75,000/- and only on deposit of cash of Rs.75,000/- each the petitioners above named, in the event of arrest or surrender within four weeks from the date of communication of this order , be released on bail on furnishing bail bond of Rs. 50,000/- (Fifty Thousand) each with two sureties of the like amount each to the satisfaction of the Special Judge Excise, Muzaffarpur, Bihar in connection with Bochahan Thana P.S. Case No. 344 of 2019, subject to deposit of cash of Rs.75,000/- each and further subject to the conditions as laid down under Section 438(2) Cr. P. C.

The deposit of cash of Rs.75,000/- shall abide by the final outcome of the present pending criminal case.

(Anil Kumar Upadhyay, J)

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