

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.35594 of 2020**

Arising Out of PS. Case No.-279 Year-2020 Thana- TAJPUR District- Samastipur

1. Anshuman Kumar Son of Jitendra Singh Resident of Village - Malpur, P.S. - Patepur, District - Vaishali.
2. Rekesh Kumar Son of Shiv Lal Paswan Resident of Village - Malpur, P.S. - Patepur, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Rana Sanjay Kumar Singh  
For the Opposite Party/s : Mr.Upendra Kumar

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

2      22-12-2020                      Heard learned counsel for the petitioners and learned  
A.P.P. for the State through video conferencing.

The petitioners seek bail in Tajpur (Halai) P.S. Case No. 279 of 2020 registered for the offence under Sections 414, 34 of the Indian Penal Code and Section 30(a) of Bihar Prohibition and Excise Act.

As per the prosecution case, total 459.36 liters of foreign liquor has been recovered from a poultry farm of co-accused Sanjeet Sahni and petitioner is said to be associate of co-accused Sanjeet Sahni.

It is submitted on behalf of petitioners that nothing has been recovered from the physical possession or premises of the petitioner. Petitioner no. 2 has got no criminal antecedent, whereas, petitioner no. 1 is accused in two more cases, in which



he is on bail, as stated by counsel for the petitioners. Petitioners are in custody since 25-07-2020. Charegesheet has already been submitted.

Considering the aforesaid facts and circumstances, the bail application of petitioners is allowed. Let the above-named petitioners be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned 2<sup>nd</sup> Additional Sessions Judge cum Special Judge, Excise, Samastipur in connection with Tajpur (Halai) P.S. Case No. 279 of 2020, on the following conditions:

“(1) Petitioners shall cooperate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present, as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail-bond shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.”.

**(Prabhat Kumar Singh, J.)**

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