

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77126 of 2019

Arising Out of PS. Case No.-363 Year-2019 Thana- JOKIHAT District- Araria

1.NIYAZ @ NIYAJ SAJA S/o Jabul, resident of village- Sisauna, P.S. Jokihat, District-Araria.

2. Rabin Yadav @ Rabindra Kr. Yadav, Son of Nageshwar Yadav, resident of village-Sisauna, P.S. Jokihat, Dist.-Araria.

3. Salehin @ Salim @ Md. Salehin, Son of Md. Shamim, resident of village-Jokihat Bazar (Fakir Tola), P.S. Jokihat, District-Araria (Bihar)

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Sharma

For the Opposite Party/s : Mr.Yogendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 14-02-2020 It is submitted by learned counsel for the petitioners that during pendency of this application, petitioner no.2 was taken into custody and as such he is not pressing this application so far as petitioner no.2 is concerned.

Accordingly, this application for anticipatory bail stands rejected so far as petitioner no.2 is concerned.

Heard learned counsel for the petitioner nos. 1 and 3 and learned APP for the State.

The petitioners have filed the instant application for grant of anticipatory bail apprehending their arrest in a case



registered for the offence under sections 272, 273 and 34 of the Indian Penal Code and section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per allegation in the F.I.R., 14 litres of beer was recovered from the hotel of one Sanjay Bhagat. It is further stated that the said Sanjay Bhagat disclosed that he received the said beer/liquor from the accused persons including these petitioners.

It is submitted by learned counsel for the petitioners that besides the confession of the aforesaid Sanjay Bhagat before the police, there is no other material against these petitioners, who 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 taking into consideration the above stated facts and circumstances of the case, the court is inclined to enlarge the petitioner nos.1 and 3 on bail. The petitioner nos. 1 and 3, above named, in the event of their arrest or surrender in the Court below within a period of six weeks from today in connection with Jokihat P.S. Case No.363 of 2019 is directed to 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 the learned Additional Sessions Judge-II-cum-Special Judge, Araria, subject to the conditions as laid down in section 438(2) of the Criminal Procedure Code.

(Partha Sarthy, J.)

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