

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1817 of 2020

Arising Out of PS. Case No.-312 Year-2019 Thana- DIGHWARA District- Saran

1. BRIJMOHAN PASWAN @ BRAJMOHAN PASWAN,
2. Parma Paswan @ Parma Ram,
both sons Late Parikshan Paswan,
3. Barun Paswan, S/o Hulas Paswan @ Hulas Ram,
4. Natha Paswan, S/o Late Bhim Paswan, R/o village- Basantpur, P.S.-
Dighwara, District- Saran at Chapra
5. Raj Kumar Paswan @ Raj Kumar Ram, S/o Late Bishwanath Paswan,
6. Mukesh Paswan, S/o Raj Kumar Paswan @ Raj Kumar Ram,
7. Shyambabu Paswan, S/o Late Bhim Paswan,
All R/o village- Basantpur, P.S.- Dighwara, District- Saran at Chapra.

... .. Petitioners

Versus

The State of Bihar

.. ... Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Narendra Kumar

For the Opposite Party/s : Mr.Surendra Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 25-02-2020 Heard learned counsel for the petitioners and learned
APP for the State.

It has been submitted on behalf of the petitioners that
the petitioner no. 4 namely Natha Paswan has been arrested,
therefore, this application has become infructuous against
petitioner no. 4.

Accordingly, this application is dismissed as infructuous
against petitioner no. 4.

The petitioners are apprehending their arrest in a case
registered for the offence punishable under Sections 30 (A), 38, 41
of the Bihar Prohibition and Excise Act, 2016.



Learned counsel for the petitioners submits that there is recovery of 60 liters of spirit from the Ganga Ghat and there is no recovery from the conscious possession of the petitioners. The petitioners have no criminal antecedent.

In the aforesaid facts and circumstances of the case, I am inclined to grant anticipatory bail to the above named petitioners (except petitioner no. 4 namely Nath Paswan), subject to deposit of Rs. 10,000/- in the Juvenile Justice Fund of the State Social Welfare Department and on showing receipt of deposit of the aforesaid amount, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail bonds of Rs. 20,000/- (rupees twenty thousand) each with two sureties of the like amount each to the satisfaction of the learned 2nd Additional Sessions Judge-cum-Special Judge, Excise, Saran at Chapra, in connection with Dighwara P.S. Case No. 312 of 2019, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

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