

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.27687 of 2021**

Arising Out of PS. Case No.-150 Year-2020 Thana- MAHARAJGANJ District- Siwan

1. AJAY SAH Son of Gauri Shankar Sah Resident of Village- Gaur, P.S.- Maharajganj, District- Siwan.
2. KRISHNA SAH Son of Gauri Shankar Sah Resident of Village- Gaur, P.S.- Maharajganj, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Bijay Prakash Singh, Advocate  
For the Opposite Party/s : Mr. A.P.P.

**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR**  
**ORAL ORDER**

2      06-12-2021      Heard learned counsel for the parties.

Let the defect(s), if any, be removed within four weeks after complete start of the physical Court.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 272, 273 of the Indian Penal Code and Sections 30(a), 26 and 41(1) of the Bihar Prohibition and Excise Act, 2016.

Submission is that recovery of liquor is alleged from the road side in front of the house of the petitioners. Petitioners have got no criminal antecedent.

Considering the fact that there is no direct material against the petitioners, let the petitioners, above named, in the event of their arrest or surrender before the learned Court below



within a period of thirty days 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 Court below where the case is pending in connection with Maharajganj Police Station Case No. 150 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as subject to the following conditions:-

(a) The petitioners shall fully cooperate with the investigation/trial of the case, failing which the learned court below shall be at liberty to cancel the bail bond of the petitioners.

(b) Both the bailors shall be resident of territorial jurisdiction of the learned court below.

(c) The petitioners shall not leave the country without permission of the learned trial court.

**(Birendra Kumar, J)**

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