

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11130 of 2021

Arising Out of PS. Case No.-411 Year-2020 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

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1. MALTI DEVI W/o Kashi Paswan Resident of Village - Patahi Rup , P.s.-
Sadar, Dist.- Muzaffarpur.
 2. Saroj Kumar Son of Kashi Paswan Resident of Village - Patahi Rup , P.s.-
Sadar, Dist.- Muzaffarpur.
 3. Kashi Paswan Son of Nagina Paswan Resident of Village - Patahi Rup , P.s.-
Sadar, Dist.- Muzaffarpur.
 4. Nagina Paswan Son of Late Haruni Paswan Resident of Village - Patahi Rup
, P.s.- Sadar, Dist.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Pandey, Advocate

For the Opposite Party/s : Mr.APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 27-07-2021 Heard learned counsel for the petitioners and learned
APP for the State through virtual mode.

Counsel for the petitioners is directed to remove the
defect(s), as pointed out by the office, within a period of four
weeks from the date of restoration of normalcy.

The petitioners are apprehending their arrest in a case
registered under Sections 147, 148, 149, 341, 323, 332, 353 of
I.P.C. and Sections 30(a), 45 of the Bihar Prohibition and Excise
Act, 2016.

The prosecution case, in short, is that the accused



persons including the petitioners came with lathi and danda and assaulted the police party and tried to release the apprehended accused. In course of search, 34.560 liters wine is recovered from the car.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent and there is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have falsely been implicated in this case. It is alleged that 34.560 liters wine is recovered from the car. The petitioner No.1 is a lady. So far the allegation of assault against the petitioners is concerned, general and omnibus allegation has been made. There is no recovery of wine from the possession of the petitioners. The petitioners have been made accused due to village politics.

On behalf of the State, it is submitted that the petitioners are named in the complaint case/F.I.R.

Considering the facts and circumstances of the case and also the lockdown, the petitioners, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on their personal bond to the satisfaction of learned Special Judge, Excise Act, Muzaffarpur in connection



with Sadar P.S. case No.411 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioners will furnish bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of eight weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

Narendra/-

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