

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5101 of 2022

Arising Out of PS. Case No.-465 Year-2021 Thana- PHULPARAS District- Madhubani

1. KAMALESH YADAV @ KAMLESH KUMAR S/o Ramlakhan Yadav @ Rambabu Yadav R/o village- Siswa, Barhi, P.S.- Phulparas, Distt.- Madhubani
2. Rakesh Paswan S/o Rajendra Paswan R/o village- Siswa, Barhi, P.S.- Phulparas, Distt.- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : Mr. Anand Mohan Prasad Mehta

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 15-06-2022 Heard learned counsel for the petitioners and learned
APP for the State.

Learned counsel for the petitioner seeks permission to make necessary correction in the fathers name of the petitioner in course of the day.

Permission is accorded.

The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with phulparas P.S. Case no. 465 of 2021 instituted for the offence punishable under Sections 30(a) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of huge quantity of nepali liquor from the field of co-accused Ramlakhan and from the betel shop of Subhash Sah.

Learned counsel appearing on behalf of the petitioners



has submitted that petitioners are innocent and have committed no offence. They have got no criminal antecedent. Petitioners have no concern with the alleged recovery or with the place of occurrence. Neither the petitioner was arrested nor any incriminating article has been recovered from his possession.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with Phulparas P.S. Case no. 465 of 2021, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge-cum-Special Judge Excise Act, Madhubani subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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