

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14947 of 2022

Arising Out of PS. Case No.-438 Year-2021 Thana- GORAUL District- Vaishali

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1. SANJIT PASWAN S/O MACHCHHU PASWAN @ MADHU PASWAN
R/O VILL.- CHAKAULIYA, P.S.- GORAUL (KATHARA O.P.), DIST.-
VAISHALI
 2. MITHILESH PASWAN S/O MAHENDRA PASWAN R/O VILL.-
CHAKAULIYA, P.S.- GORAUL (KATHARA O.P.), DIST.- VAISHALI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajeev Ranjan No.Ii

For the Opposite Party/s : Mr.Madan Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 15-07-2022 Heard learned counsel for the parties through video conferencing.

The petitioners apprehend their arrest in a case registered for the offence under Section 30(a) of Bihar Prohibition and Excise Act.

30 liters of country-made liquor has been recovered from the cattle-shed of petitioner no. 1 and both petitioners alongwith others have been made accused.

It is submitted on behalf of petitioner that as per F.I.R. itself, recovery has been made from the cattle shed of petitioner no. 1, whereas nothing has been recovered from possessions of petitioner no. 2. Petitioners have got clean antecedent.



In view of aforesaid fact, the prayer for anticipatory bail of petitioner no. 1 is rejected.

So far as prayer for bail of **petitioner no. 2** is concerned, since nothing has been recovered from his conscious possession and he has got clean antecedent, let the above named petitioner no. 2, in the event of his arrest or surrender within a period of six weeks from the date of receipt / production of copy of this order, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No. 1 cum Addl. District & Sessions Judge, Vaishali at Hajipur in connection with Goraul (Kathara O.P.) P.S. Case No. 438 of 2021, subject to conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Singh, J)

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