

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22481 of 2022

Arising Out of PS. Case No.-300 Year-2021 Thana- BABUBARHI District- Madhubani

1. SIYARAM PASWAN @ SHYARAM PASWAN Son of Bittu Paswan Resident of Village - Baruar, P.s.- Babubarhi, Distt.- Madhubani.
2. Pawan Paswan Son of Siyaram Paswan @ Shyaram Paswan Resident of Village - Baruar, P.s.- Babubarhi, Distt.- Madhubani.

... .. Petitioner/s

Versus

THE STATE OF BIHAR.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prabhakar Thakur

For the Opposite Party/s : Mr.Akbar Ali

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 12-08-2022 Heard learned counsel for the petitioners and learned
APP for the State through virtual court proceedings.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 272, 273 and 34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act.

51.900 litres of Nepali country made liquor was recovered from a motorcycle standing in front of the house of the petitioners.

Learned counsel for the petitioners submits that petitioners are innocent and have falsely been implicated in the present case. It is further submitted that nothing has been



recovered from the conscious possession of the petitioners. It is also submitted that the petitioners have got no criminal antecedent as stated in paragraph-3 of the bail application.

Petitioners are ready to deposit a sum of Rs.20,000/- (rupees twenty thousand) **each** in Bihar Kishore Nyay Nidhi, Apna Ghar, Near Lalit Bhawan, Bailey Road, Patna bearing Saving Bank Account No.35094613009, State Bank of India, Branch Name Patna Secretariat Sinchai Bhawan, Branch Code-153, IFSC Code-SBIN0000153.

Taking into consideration the facts aforesaid and the fact that there is no recovery from the conscious possession of the petitioners, let petitioners, above named, in the event of their arrest or surrender before the learned court below within a period of six weeks from today, be enlarged on bail on furnishing bail bonds of Rs.25,000/- (rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge, Excise Act, Madhubani in connection with Babubarhi P.S. Case No.300 of 2021, subject to the conditions laid down under Section 438 (2) of the Code of Criminal Procedure as well as subject to the further conditions that:

(i) One of the bailors will be own blood relative of the



petitioners, preferably, father, mother, brother, sister and/or their wife.

(ii) The petitioners shall not indulge themselves in any similar offence till conclusion of the trial.

(Anjani Kumar Sharan, J)

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