

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51680 of 2023

Arising Out of PS. Case No.-144 Year-2023 Thana- BARHARIA District- Siwan

1. Sanjeet Pasi @ Sanjeet Chaudhari S/O Late Ganesh Pasi Resident Of Village- Kuwahi, P.S- Barharia, Distt.- Siwan.
2. Anjeet Pasi @ Anjeet Chaudhari S/O Late Ganesh Pasi Resident Of Village- Kuwahi, P.S- Barharia, Distt.- Siwan.
3. Raju Pasi S/O Late Ganesh Pasi R/O Village- Kuwahi, P.S- Barharia, Distt.- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Pandey, Advocate
For the Opposite Party/s : Ms. Indu Kumari Srivastava, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 19-08-2023 Heard learned counsel for the petitioners and the State.

2. Petitioners apprehend arrest in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per prosecution case, 30 litres country made liquor has been recovered from behind the house of petitioner No. 2.

4. Learned counsel for the petitioners submits that no incriminating material has been recovered from the conscious possession of these petitioners.



5. Learned A.P.P. for the State opposes the bail application and submits that petitioner No. 2 has got one criminal antecedent.

6. Considering the fact that petitioner No. 2 has got one criminal antecedent, **prayer for anticipatory bail of above named petitioner No. 2 is rejected.** However, **anticipatory bail with regard to petitioner Nos. 1 and 3 is allowed** and it is ordered that let the above named petitioner Nos. 1 and 3 in the event of their arrest/surrender before the court below within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Exclusive Special Excise-1, Siwan in connection with Barharia P. S. Case No. 144 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

7. This case is disposed of.

(Prabhat Kumar Singh, J)

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