

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67375 of 2023

Arising Out of PS. Case No.-303 Year-2023 Thana- MADANPUR District- Aurangabad

1. Bholu Paswan @ Sahendra Kumar Son of Krishna Paswan Resident of Village - Laltenganj, P.s. - Madanpur, District- Aurangabad.
2. Bindeshwari Paswan Son of Late Deva Paswan Resident of Village - Laltenganj, P.s. - Madanpur, District- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Adarsh Singh, Advocate

For the Opposite Party/s : Mr. Suresh Prasad Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 19-10-2023 Heard learned counsel for the petitioners and the State.

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

3. As per prosecution case, 140 litres of illicit liquor has been recovered from an orchard.

4. Learned counsel for the petitioners submits that recovery has been made from an orchard which is an open place accessible to all. No incriminating material has been recovered from the conscious possession of these petitioners. Petitioners claim clean antecedent.



5. Learned A.P.P. for the State vehemently opposes the bail application.

6. Considering the aforesaid facts and circumstances, this anticipatory bail is allowed and it is ordered that let the above named petitioners 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 Special Judge, Excise Court No. 1, Aurangabad (Bihar) in connection with Madanpur P. S. Case No. 303 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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