

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46392 of 2024

Arising Out of PS. Case No.-40 Year-2024 Thana- Sahayak Khajanchi District- Purnia

1. DIWAKAR JAISWAL @ DIWAKAR KUMAR S/O RATAN JAISWAL @ RATAN MOHAN BHAGAT R/O SUDDIN CHOWK CHHATH POKHAR ROAD, CHHATH POKHAR, P.S- K.HAT, DISTT.- PURNEA.
2. SHASHI JAISWAL @ PRINCE KUMAR S/O RATAN JAISWAL @ RATAN MOHAN BHAGAT R/O SUDDIN CHOWK CHHATH POKHAR ROAD, CHHATH POKHAR, P.S- K.HAT, DISTT.- PURNEA.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Jha
For the Opposite Party/s : Mr. Nityanand

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 07-08-2024 1. Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Sahayak Khazanchi Police Station Case No. 40 of 2024, disclosing offences under Sections 272, 273 of the Indian Penal Code and Section 30(a) of Bihar Prohibition and Excise Act.
3. As per the First Information Report, police got a secret information that a person was carrying liquor in Tatma Toli area and upon such information, the police party arrived the place of occurrence. Upon seeing the police party, three persons carrying a plastic bag, started fleeing away but upon chase, the



police apprehended one person and two persons managed to escape. The apprehended persons disclosed the name of the petitioners who succeeded in fleeing away. The police recovered 8.61 liters of foreign liquor from the arrested accused Ranbir Kumar.

4. Learned Counsel for the petitioners submits that the petitioners have been made accused on the basis of disclosure of his name by the co-accused Ranbir Kumar who was arrested along with the illicit liquor. The illicit liquor has not been recovered from the premises and or vehicle belonging to the petitioner or from his conscious possession.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that no illicit liquor liquor has been recovered from the premises and or vehicle belonging to the petitioners, the name of the petitioners have been disclosed by the co-accused, I am inclined to grant the petitioners privilege of anticipatory bail.

6. This application is, accordingly, allowed.

7. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within four weeks, be released 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 Judge
Excise Court No. 1, Purnea, in connection with Sahayak
Khazanchi Police Station Case No. 40 of 2024, subject to the
condition laid down under Section 438 (2) of the Code of
Criminal Procedure.

(Anil Kumar Sinha, J)

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