

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58176 of 2024

Arising Out of PS. Case No.-27 Year-2024 Thana- BHAIKAVSHTHAN District- Madhubani

1.

Bhagwan Paswan Son of Late Basudev Paswan Resident of Village - Jhauwa, P.S. - Bhairavsthan, District - Madhubani.
2.

Badri Paswan Son of Late Bauku Paswan Resident of Village - Pothiya, P.S. - Bhairavsthan, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s

:

Mr.Jitendra Bharti, Advocate

For the Opposite Party/s

:

Ms.Pronoti Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2

14-08-2024

1.

Heard learned counsel for the petitioners as well as learned APP for the State.

2.

The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 272, 273 and 34 of the IPC and Section 30(a) of the Bihar Prohibition and Excise Act in connection with Bhairavsthan P.S. Case No.27 of 2024.

3.

The learned counsel for the petitioners submit that the petitioners have antecedent of one case and the allegation is of recovery of 10 liters of liquor from a place behind the house



of petitioner no.1 and 10 liters of liquor from a place behind the house of petitioner no.2.

4. It is next submitted that petitioners were not arrested from the spot as such nothing was recovered from their conscious possession and even alleged recovery is from a place which is accessible to public at large and does not belong to the petitioners, but then is adjacent to their house. It is also submitted that they came to be implicated at the instance of local people. It is next submitted police in majority of the cases implicates either at the instance of the 'Chowkidar' or local people, confessional statement or secret information in a mechanical manner without holding proper investigation.

5. The learned APP for the State opposes the anticipatory bail application.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.5000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge Excise Act, Jhanjharpur, Madhubani in connection with Bhairavsthan P.S.



Case No.27 of 2024, subject to the conditions laid down under
Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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