

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79195 of 2024

Arising Out of PS. Case No.-132 Year-2024 Thana- SHAMPUR District- Munger

1. Manohar Kumar @ Manohar Paswan Son of Shyam Paswan Resident of Village - Gopalpur, Shampur, Police Station - Shampur and District Munger
2. Bikash Kumar Son of Shyam Paswan Resident of Village - Gopalpur, Shampur, Police Station - Shampur and District Munger

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Pawan Kumar Singh, Adv.

For the Opposite Party/s : Mr. Akbar Ali, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 02-12-2024 Heard learned counsel for the petitioners and Mr. Akbar Ali, learned APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Shampur P.S Case No. 132 of 2024 instituted for the offence under Sections 30(a)(c)/52 of Bihar Prohibition & Excise (Amendment) Act, 2018.

3. The case of the prosecution is that police received secret information that at village of Banarchuha Forest, certain persons are indulged in manufacturing illegal liquor. On this information a raid was made. 70 liters of illegal liquor was recovered from the Banarchuha Forest.

4. Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have



committed no offence. Petitioners have falsely been implicated in this case. No one was apprehended from the spot. Local *chowkidar* disclosed the name of these petitioners. A statement has been made in para-3 of this petition that the petitioners have criminal antecedent of one case which is of similar nature.

5. Learned APP for the State has opposed the prayer of bail of the petitioners.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioners on bail which condition that the petitioners shall not indulge in similar nature of offences in future. The petitioners are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with Shampur P.S Case No. 132 of 2024, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) each of them with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise-I, Court, Munger subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Ashok Kumar Pandey, J)

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