

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83012 of 2024

Arising Out of PS. Case No.-80 Year-2024 Thana- GOVINDPUR District- Nawada

1. Mausam Pandey @ Amresh Pandey, Son of Arvind Pandey @ Aaro Pandey, Resident of Village- Dirmobara, P.S.- Roh, District- Nawada
2. Saryug Rajbanshi, Son of Late Prayog Rajbanshi, Resident of Village- Vinayak, P.S.- Govindpur, District- Nawada

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Krishna Deo Raj, Advocate
For the Opposite Party/s : Mr.Md. Iftekhar Mahmood, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 11-12-2024 Heard learned counsel for the petitioners and Mr. Md. Iftekhar Mahmood, learned APP for the State.

2.The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Govindpur P.S. Case No. 80 of 2024 instituted for the offence under Sections 30(a) and 41 of the Bihar Prohibition and Excise Act.

3. The case of the prosecution is that near the Dirmobara canal, apparatus for making illegal liquor was recovered. It is further alleged that 1500 liters of fermented jawa mahua was recovered.

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



committed no offence. They have falsely been implicated in this case. They have no concern with the alleged recovery. It is further submitted that the prosecution is based only on the basis of secret information and from perusal of the seizure list, it is not clear as to from where the seizure was made and what was seized. It is also submitted that the witnesses of seizure are also the members of the raiding party. Petitioners are having no criminal antecedent.

5. In contra, learned APP appearing 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. 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 Govindpur P.S. Case No. 80 of 2024, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Judge-I, Nawada, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Ashok Kumar Pandey, J)

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