

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26336 of 2017

Arising Out of PS.Case No. -227 Year- 2017 Thana -GOVERNMENT OFFICIAL COMP. District-
SITAMARHI

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1. Rakesh Paswan, Son of Gorakh Paswan @ Late Siyanandan Paswan.
2. Devesh Kumar, Son of Late Siyanandan Paswan, Both Resident of
Majorganj Malahi, P.S.- Mejorganj, District- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwari

For the Opposite Party/s : Mr. Shailendra Kumar -1

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

6 02-08-2017 Heard learned counsel for the petitioners and learned
APP for the State.

Petitioners are languishing in custody since 12.04.2017
in connection with Case No. C2/227/17 for offences punishable
under Section 30(A) of the Bihar Prohibition and Excise Act.

The prosecution case, as lodged by the excise official, is
that the petitioners were apprehended with 72 litres of Nepali
Saufi Wine near Indo-Nepal Border.

It has been submitted by the learned counsel for the
petitioners that they are innocent, bear no criminal antecedent and
have been falsely implicated in the aforesaid case by the custom



officials. He submits that nothing has been recovered from their conscious possession and charge-sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioners, above named, be enlarged on bail on furnishing bail bonds of Rs.10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned A.D.J.-II, Sitamarhi, in connection with Case No. C2/227/17.

(Nilu Agrawal, J)

Rajesh/-

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