

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No. 39238 of 2017**

Arising out of PS. Case No.-116 Year-2017 Thana- BARGANIA  
District- Sitamarhi

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1. Dhanohari Devi @ Sona Devi, Wife of Shankar Paswan.  
2. Shankar Paswan, Son of Late Balkuwar Paswan, Both resident  
of Village-Pachataki Yadu, Police Station-Bairganja, Dist.-  
Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

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

For the Opposite Party/s: Mr. Nand Kishore Pd, APP.

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**CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN**  
**ORAL ORDER**

2     19-08-2017                      Heard learned counsel for the petitioners and the  
  
State.

The petitioners seek bail in a case registered for  
offences under Sections 272 and 273 of the Indian Penal Code  
and Section 30 (A) of the Bihar Prohibition and Excise Act,  
2016.

It is contended that as per allegation, 4.5 litres and  
9 litres of Nepali Soufi wine were allegedly recovered from the  
possession of the petitioners respectively. Petitioners claim that  
the petitioner no. 1 is having clean antecedent, however, the  
petitioner no. 2 is accused in one other case, i.e., Bairganja P.S.



Case No. 95 of 2017 for offences under Section 37 (c) of Bihar Prohibition and Excise (Amendment) Act, 2016 and are in custody since 13.05.2017.

Considering the facts and the circumstances of the case, the petitioners, above named are directed to be released on bail on their furnishing bail bonds of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the I/c Additional Sessions Judge-cum-Special Judge, Excise Act, Sitamarhi in connection with Bairgania P.S. Case No. 116 of 2017 with a condition that if the petitioners, after their release in this case, are again found to be involved in criminal case of similar nature, the court concerned would be at liberty to take steps for cancellation of their bail bonds.

In view of the antecedent of the petitioner no. 2, he would be required to appear before the Superintendent of Police, Sitamarhi within fifteen days of his release with a copy of this order and every month thereafter for the next six months. The conduct of the petitioner will be kept under watch in the aforesaid period by the Superintendent of Police concerned and if it is found wanting in any respect, a report shall be made to the court concerned by him to initiate a proceeding for cancellation of bail for reasons of misuse of bail. After reporting



to the Superintendent of Police, a certificate will be filed by the petitioner before the court concerned which should be granted by the Superintendent of Police concerned upon his appearance.

**(Dr. Ravi Ranjan, J)**

Vikash/-

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