

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47385 of 2017

Arising Out of PS.Case No. -177 Year- 2017 Thana -GOVERNMENT OFFICIAL COMP. District-
EASTCHAMPARAN(MOTIHARI)

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1. Jalandhar Paswan Son of Late Madan Paswan, R/o Village- Laxmipur
Laukhan, P.S.- Ghorasahan, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava

For the Opposite Party/s : Smt. Nirmala Kumari

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 10-10-2017 Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner is languishing in judicial custody
since 01.07.2017 in connection with Excise Case No. 177
of 2017 for offences punishable under Section 30(a) of the
Bihar Prohibition and Excise Act, 2016.

The prosecution case, as lodged by the
informant ASI of SSB, is that three persons were
intercepted while one managed to escape but petitioner
along with one another was apprehended. From the two
jute bags 60 litres of Nepali Sophy wine was recovered.

It has been submitted by the learned counsel for



the petitioner that he is innocent, bears no criminal history and one of the accused has been granted privilege of bail by a coordinate Bench of this Court in Cr. Misc. No. 42977 of 2017 on 19.09.2017. He submits that in all 60 litres of Nepali Sophy wine was found and three persons have been named and that petitioner has been sufficiently punished.

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

Considering the facts and circumstances and the materials on record and also the quantity of recovery and period of custody, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned VIIth Addl. Sessions Judge cum Special Judge (Excise), Motihari, East Champaran, in connection with Excise Case No. 177/17, subject to the condition that one of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court and if the petitioner is found involved in any of the like offences, in future,



prosecution will be free to move for cancellation of his
bail bonds.

(Nilu Agrawal, J)

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