

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57301 of 2018

Arising Out of PS. Case No.-165 Year-2018 Thana- NOORSARAI District- Nalanda

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1. Birendra Paswan, S/o Sukhdeo Paswan
 2. Surendra Paswan, S/o Sukhdeo Paswan
- Both Resident of village - Banshgopalpur, Police Station -
Noorsarai, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Sri Ganesh Sharma

For the Opposite Party/s : None

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3 06-10-2018 Heard Sri Ganesh Sharma, learned counsel for the
petitioners . None appeared on behalf of the State.

Two petitioners, apprehending their arrest in connection with Noorsarai P.S. Case No. 165 of 2018 , registered for the offence under Section 30(A) of the Bihar Prohibition and Excise Act, 2016, have prayed for grant of bail in the event of their arrest or surrender.

Learned counsel for the petitioners at the very outset has drawn my attention to the statement made in paragraph - 3 of the petition to show that petitioners are having clean antecedent. It has further been argued that in the case nothing was recovered from conscious possession of the petitioners rather in this case about 30 liters of country made liquor was



shown to be recovered from a maize field not belonging to either of the petitioners.

Considering the nature of accusation and clean antecedent of the petitioners, in the event of their arrest or surrender within a period of six weeks from today, let both the petitioners namely: (1) Birendra Paswan, and (2) Surendra Paswan be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned 6th Additional Sessions Judge – cum- Special Judge Excise, Nalanda at Biharsharif / concerned court in connection with Noorsarai P.S. Case No. 165 of 2018 subject to the conditions as contemplated under Section 438 (2) of the Code of Criminal Procedure, 1973.

(Rakesh Kumar, J)

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