

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13414 of 2019

Arising Out of PS. Case No.-339 Year-2018 Thana- RAJAOLI District- Nawada

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1. ASHOK CHOUDHARY S/o Late Ambika Choudhary Resident of Village- Fulwariya, P.S.- Rajauli, District- Nawada
 2. Haridwar Paswan Son of Pachu Paswan Resident of Village- Sohda. P.S.- Rajauli, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad

For the Opposite Party/s : Mr. Syed Ehteshamuddin

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 06-03-2019 Heard learned counsel for the petitioners and the learned counsel appearing on behalf of the State.

Petitioners are languishing in judicial custody since 28.12.2018 in connection with Rajauli P.S. Case No. 339 of 2018 for offences punishable under Section 30 (a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case as lodged by the police personnel is that on raid the petitioners were apprehended in a motorcycle with 30 litres of country made wine. Accordingly, a seizure list was prepared.

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. He submits that nothing has been recovered from their conscious possession and they undertake to cooperate in the investigation not to induce witnesses or tamper with the prosecution evidence. He submits that the petitioners have been sufficiently punished as they are languishing in judicial custody since more than two months.

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

Considering the nature of allegation and the period of custody, let the petitioners above named be enlarged on bail on furnishing bail bond of Rs. 10,000 (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge, 2nd cum Special Judge, Nawada in connection with Rajauli P.S. Case No. 339 of 2018.

(Nilu Agrawal, J)

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