

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14086 of 2019

Arising Out of P.S. Case No.-435 Year-2018 Thana- GHORASAHAN District- East
Champaran

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1. VIJAY SAH, age about 25 years, Gender-Male, Son of Late Surendra Sah
Resident of Village - Turhapatti Ghorasahan, P.S.- Ghorasahan, Dist.- East
Champaran
 2. Vinod Sah, age about 45 years, Gender-Male Son of Nandu Sah, Resident of
Village - Turhapatti Ghorasahan, P.S.- Ghorasahan, Dist.- East Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Singh, Advocate

For the Opposite Party/s : Mr.Md. Iftekhar Mahmood, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 08-03-2019 Heard the learned counsel for the petitioners and
learned counsel appearing on behalf of the State.

Petitioners are languishing in judicial custody since
09.11.2018 in connection with Ghorasahan P.S.Case No.435 of
2018 for the offence alleged under Section 30(a) of the Bihar
Prohibition and Excise Act,2016.

The prosecution case as lodged by the police
personnel is that on information that two persons are carrying
Nepali Saufi wine from Nepal, the police apprehended the
petitioners and from their possession, 36 liters each of Nepali
Saufi wine was recovered. 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 further submits that chargesheet has already been submitted, there being no allegation of tampering with the prosecution evidence or witnesses. He further submits that the petitioners have been punished sufficiently as they are languishing in judicial custody since four months.

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

Considering the facts and circumstances, let the petitioners, above named be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each in connection with Ghorasahan P.S.Case No.435 of 2018 to the satisfaction of learned Special Judge Excise, Motihari, subject to condition that one of the bailors would be a close relative of the petitioners having sufficient immovable property, who will file an affidavit stating their relationship with the petitioners.

(Nilu Agrawal, J)

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