

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22415 of 2019

Arising Out of P.S. Case No.-61 Year-2019 Thana- CHHAURADANO District- East
Champaran

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1. CHANDAN RAI, aged about 20 years (M), Son of Shambhu Rai, Resident of Village-Katha Loknathpur, P.S-Motihari Mufasil, District-East Champaran.
 2. Deepak Yadav, aged about 20 years (M), Son of Suresh Yadav, Resident of Village-Katha Loknathpur, P.S-Motihari Mufasil, District-East Champaran.
 3. Bipin Kumar Yadav @ Vipin Kumar Yadav, aged about 19 years (M), Son of Amerika Rai Resident of Village-Katha Loknathpur, P.S-Motihari Mufasil, District-East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma, Advocate
For the Opposite Party/s : Mr.Nand Kumar, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 11-04-2019 Heard the learned counsel for the petitioners and
learned counsel appearing on behalf of the State.

Petitioners seek bail in connection with Chhauradano
(Mahuawa) P.S.Case No.61 of 2019 for the offence alleged
under Section 414 of the Indian Penal Code and Section 30(a)
of the Bihar Prohibition and Excise Act.

The prosecution case as lodged by the police
personnel is that the petitioners were apprehended with three



motorcycles near the Indo Nepal Border who were driving the motorcycles while two persons named by the apprehended petitioners fled away. On search from the motorcycles concealed in bags 276 liters of Nepali Soufi 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 due to highhandedness of the police. He submits that nothing has been recovered from the conscious possession of the petitioners and they are languishing in judicial custody since 03.03.2019.

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

Considering the nature of allegations and that the petitioners do not bear any criminal antecedent as stated in para-3 of the present application, 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 Chhauradano (Mahuawa) P.S.Case No.61 of 2019 to the satisfaction of learned Special Judge, Excise, East Champaran, Motihari, subject to the 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.

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(Nilu Agrawal, J)

