

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25908 of 2019

Arising Out of PS. Case No.-40 Year-2019 Thana- GHORASAHAN District- East
Champaran

ANAND SINGH, aged about 27 years, Male, Son of Chandrika Singh
Resident of Village - Madhubani Kala, P.S.- Chiraiya, District- East
Champaran ... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr. Dhurendra Kumar, Adv.
For the Opposite Party : Mr. Nitya Nand Tiwary, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 02-05-2019 Heard the learned counsel for the petitioner and the
learned Additional Public Prosecutor appearing for the State.

The petitioner is languishing in judicial custody since
07.02.2019 in connection with Ghorasahan (Jitna) P.S. Case No.
40 of 2019 for the offence alleged under Section 30(a) of the
Bihar Prohibition and Excise Act, 2016.

The prosecution case, as lodged by the Excise
Officials is that petitioner was apprehended near Indo-Nepal
border with 41.700 liters of Nepali Saufi wine, which was being
carried in a motorcycle. Accordingly, a seizure list was
prepared.

It has been submitted by the learned counsel for the
petitioner that he is innocent, bears no criminal history and has
been falsely implicated in the aforesaid case. He submits that
no recovery has been made from his conscious possession and



the petitioner is languishing in judicial custody since nearly three months.

However, the learned Additional Public Prosecutor for the State opposes the prayer for bail.

Considering the nature of allegations and that the petitioner does not bear any criminal antecedent, as stated in paragraph 3 of the present application, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Ghorasahan (Jitna) P.S. Case No. 40 of 2019 to the satisfaction of the learned Special Judge, Excise, East Champaran at Motihari, or the successor Court, subject to the condition that one of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.

(Nilu Agrawal, J)

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