

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25836 of 2019

Arising Out of PS. Case No.-48 Year-2019 Thana- ADAPUR District- East Champaran

1. NANHAK PRASAD PASWAN, aged about 45 years, Male, Son of Aamchand Paswan
2. Ramayodhya Paswan, aged about 35 years, Male, Son of Ramashish Paswan, both are Residents of Village - Uchchidih, P.S.- Harpur, Distt - East Champaran

... Petitioners

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioner : Mr. Ajay Kumar Singh, Adv.

For the Opposite Party : Mr. Veena Rani Prasad, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL ORDER

2 01-05-2019 Heard the learned counsel for the petitioners and the learned Additional Public Prosecutor appearing for the State.

The petitioners seek bail in connection with Adapur (Harpur) P.S. Case No. 48 of 2019 for the offences alleged under Sections 272 and 273 of the Indian Penal Code and under Sections 30(a) and 41 of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, as lodged by the Sashastra Seema Bal officials, is that the petitioners were apprehended near the Indo-Nepal border carrying 38.700 liters of Nepali Saufi wine in two bags, which they threw after seeing the officials. Accordingly, a seizure list was prepared.

It has been submitted by the learned counsel for the



petitioners that they are innocent, bear no criminal history and are languishing in judicial custody since 22.02.2019.

However, the learned Additional Public Prosecutor 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 paragraph 3 of the present application, let the petitioners, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each in connection with Adapur (Harpur) P.S. Case No. 48 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 of each of the petitioners would be a close relative having sufficient immovable property, who will file an affidavit stating his/their relationship(s) with the petitioner(s).

(Nilu Agrawal, J)

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