

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23817 of 2020

Arising Out of PS. Case No.-30 Year-2020 Thana- KANHauli District- Sitamarhi

1. Gopal Paswan, Aged about – 30 years, Gender – Male, Son of Shri Chan Paswan
2. Gathil Narayan Paswan @ Sanjay Paswan, Aged about – 25 years, Son of Maharaj Paswan
Both Resident of Village - Kauri Madan, P.S.- Majorganj, District - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Birendra Kumar
For the Opposite Party/s : Mr. Nawal Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 16-09-2020 Heard Mr. Birendra Kumar, learned counsel for the petitioners and Mr. Nawal Kishore Prasad, learned Additional Public Prosecutor appearing for the State through video conferencing.

Petitioners seek regular bail in connection with Kanhauli P.S. Case No. 30 of 2020 registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

The allegation against the petitioners as per the First Information Report lodged by A.S.I. of Kanhauli Police Station is that on the basis of secret information that some consignment of liquor was being brought from Nepal proceeded towards



Murhadih and around 5' O Clock the informant saw that a few people were coming from Nepal and upon seeing the Police party all the people tried to flee away after throwing the bags on the ground, out of which the petitioners were apprehended and upon search a total quantity of 144 liters of Nepali Saufi wine were recovered from the five bags thrown by the accused persons.

Learned counsel for the petitioners submits that petitioners have got no criminal antecedent and have falsely been implicated in this case with oblique motive. Learned counsel further submits that petitioners with some other accused persons fled away after throwing the bags, but the petitioners have been arrested by the Police. Learned counsel also submits that petitioners are in custody since 07.03.2020.

Having regard to the submissions made by the parties and taking into consideration the materials available on record and the fact that petitioners have got no criminal antecedent and they are in custody since 07.03.2020, I am inclined to grant regular bail to the petitioners.

Accordingly, let the petitioners, above named, be released on regular bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) each with two sureties of the like amount



each to the satisfaction of learned A.D.J. II Cum Special Judge,
Excise Act, Sitamarhi / court concerned in connection with
Kanhauli P.S. Case No. 30 of 2020 .

It is made clear that at the time of furnishing bail
bonds all the parties shall follow the guidelines regarding
lockdown and social distancing.

(Anil Kumar Sinha, J)

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