

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2215 of 2021

Arising Out of PS. Case No.-715 Year-2018 Thana- NARPATGANJ District- Araria

1. PRAKASH PASWAN SON OF LATE GONJAY PASWAN RESIDENT OF VILLAGE RANIPATTI,P.S-BIRPUR, DISTRICT-SUPAUL
2. MAJOJ SHARMA SON OF BHUBAN SHARMA RESIDENT OF VILLAGE RANIPATTI,P.S-BIRPUR, DISTRICT-SUPAUL
3. DHIRAJ KUMAR @ DHIRAJ PASWAN @ DHIRON PASWAN SON OF SHYAM BALAK PASWAN RESIDENT OF VILLAGE RANIPATTI,P.S-BIRPUR, DISTRICT-SUPAUL

... .. Petitioners

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Binod Kumar Yadav, Advocate
For the Opposite Party/s : Mr. Md. Nazir Ansari, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 09-04-2021

Heard learned Counsel for the petitioners and the learned Counsel for the State.

This Court would expect that the petitioners' Counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

Petitioners seek bail in Narpatganj PS Case No. 715 of 2018, Special Case No. 1625 of 2018 registered under Section 30(a) of Bihar Prohibition and Excise Act, 2016.

Co-accused Bablu Paswan and Raghunandan Paswan are said to be two out of seven persons who were carrying illicit liquor and have been arrested. Total recovery is 152 liters Nepali wine.

It is submitted by learned Counsel for the petitioners that implication of the petitioners and two other persons is only on the basis of statement of two co-accused persons namely Bablu Paswan



and Raghunandan Paswan. The petitioners bear clean past and even as per prosecution case they have not been arrested at the time and place of recovery. The petitioners are in custody since 26.8.2020.

Learned APP has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, prayer for bail of the petitioners is allowed.

Let the petitioners above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of 2nd Additional Sessions Judge -cum- Special Judge, Araria in Narpatganj PS Case No. 715 of 2018, Special Case No. 1625 of 2018 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioners who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioners will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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