

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.36721 of 2020**

Arising Out of PS. Case No.-79 Year-2020 Thana- GHORASAHAN District- East  
Champaran

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1. Nawal Yadav, S/o Dinanath Yadav, resident at vill.- Chota pakadi, p.o.- Majirwa, P.s.- Lakaura, dist.- East Champaran
  2. Khinari Yadav @ Kinari Yadav, s/o Ramagya Yadav, resident at vill.- Jalgawa, P.o.- Chauradano, P.s.- Jilna, Dist.- East Champaran

... Petitioners

Versus

The State of Bihar

... Opposite Party

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**Appearance :**

For the Petitioners : Mr. Rajeev Ranjan, Adv.

For the Opposite Party : Mr. Dinesh Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR  
MISHRA**

ORAL ORDER

2 29-06-2021

As prayed for, through video conferencing, let the learned counsel for the petitioners remove the defect(s), as pointed out by the office vide it's note, dated 18.12.2020, within four weeks of starting of the Court proceeding in physical mode properly.

Heard the parties through video conferencing.

The petitioners seek pre-arrest bail in connection with Ghorasahan (Jitna) P.S. Case No. 79 of 2020, registered under Sections 272 and 273 of the Indian Penal Code and 30(a) of the Bihar Prohibition and Excise Act, 2016.

The accusation is that in course of patrolling duty of Sashastra Seema Bal (SSB) on 02.03.2020 at Nepal Border, some persons were seen coming from Nepal inside India having articles on their heads. On seeing the personnel of Sashastra Seema Bal they



started to flee away throwing their luggage of heads, but, on chase two were apprehended. On search of the sacks 1020 bottles, each containing 300 ml Nepali liquor recovered. Both caught hold persons disclosed their names Ramdeo Mahto and Dhirendra Kumar, who also disclosed the names of five persons, including both the petitioners, who succeeded to flee away.

Submission is that both the petitioners were not apprehended on spot and their names have come in the confessional statement of co-accused, Ramdeo Mahto and Dhirendra Kumar, who are said to be apprehended on throwing sacks of 1020 bottles, each containing 300 ml Napali liquor. Further, submission is that both the petitioners have no criminal antecedent.

Having regard to the facts and circumstances of the case, let the petitioners, above named, in the event of arrest/surrender, within a period of four weeks from today, in connection with Ghorasahan (Jitna) P.S. Case No. 79 of 2020 shall be released on bail on furnishing bail bonds of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the Special Judge, East Champaran at Motihari, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

**(Rajendra Kumar Mishra, J)**

Shamshad/-

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