

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51960 of 2016

Arising Out of PS.Case No. -210 Year- 2016 Thana -PAROO District- MUZAFFARPUR

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1. Jafre Alam Son of Late Abdul Gaffar
2. Raja Mahto Son of Nagendra Mahto Both resident of village - Basantpur
Patti, P.S. Saraiya, District - Muzaffarpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ratneshwar Prasad, Adv.
Mr. Aditya Kumar, Adv.
Ms. Nitu Kumari, Adv.
Mr. Yogendra Kumar Singh, Adv.
For the Opposite Party/s : Mr. Pancha Nand Pandit, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 15-12-2016 Heard learned counsel for the petitioners and learned
APP for the State.

Petitioners are languishing in custody since
01.10.2016 in connection with Paroo P.S. Case No. 210/16 for
offences punishable under Section 414 of the Indian Penal Code and
under Sections 47(a) (g) and 54 of Bihar Excise (Amendment) Act,
2016.

The prosecution case is that the police on secret
information conducted a raid and found 21 litres of foreign liquor and
two stolen motorcycles which were being unloaded in the house of one
Pankaj Rai and apprehended the petitioners.

Learned counsel for the petitioners submits that the



motorcycles belong to Pankaj Rai, the other co-accused, who managed to escape. The vehicle has been released by the court below. It is further submitted that the petitioners were mere driver and Khalasi of the pick-up van and not the owner. He has further submitted that the petitioners have no criminal history and have falsely been implicated in the aforesaid offence.

However, learned APP for the State submits that the petitioners are named in the FIR, hence, opposes the prayer for bail.

Be that as it may, since the petitioners have no criminal history, let petitioners, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Muzaffarpur in connection with Paroo P.S. Case No. 210/16.

(Nilu Agrawal, J.)

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