IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8656 of 2018

Arising Out of PS.Case No. -50 Year- 2018 Thana -BARACHATTI District- GAYA

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1. Rosan Kumar Son of Mithlesh Singh, Resident of Village-Manichak, Police Station-Islampur, District-Nalanda.
2. Himanshu Kumar Son of Ravindra Singh, Resident of Village-Katrubigha, Police Station-Parbalpur and District-Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Manish Kumar No-2
For the Opposite Party/s : Mr. Sri Tarun Prasad Mandal

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 17-02-2018 Heard learned counsel for the petitioners and learned APP for the State.

The petitioners seek bail in connection with Barachatti P.S. Case No. 50 of 2018 registered under Sections 30(a), 38 and 47 of Bihar Excise Amendment Act -2016.

72 liters of foreign liquor is said to have been recovered from Tata Sumo. Petitioner no. 1 who happens to be its driver and petitioner no. 2 who is commuters, were apprehended.

It is submitted by learned counsel for the petitioners that no incriminating article has been recovered from their conscious physical possession. The petitioners have been falsely implicated in the case. Petitioners have no concern either with the

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seized liquor or with the alleged vehicle. Petitioner no. 2 has no criminal antecedent while three cases are pending against petitioner no. 1, in which he is on bail. Both are languishing in custody since 16.01.2018.

In the facts and circumstances of the case, the above named petitioners are directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Special Judge-Excise, Gaya in connection with Barachatti P.S. Case No. 50 of 2018.

(Prakash Chandra Jaiswal, J)

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