

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8340 of 2018

Arising Out of PS.Case No. -618 Year- 2017 Thana -GOVERNMENT OFFICIAL COMP. District-
BANKA

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1. Dablu Sah, Son of Late Kapildeo Mahto.
2. Pintu Kumar, Son of Late Dinesh Mahto.
3. Abadh @ Awadh Patel, Son of Late Suresh Patel.
All resident of Village- Mathurapur, P.S.- Khagaria, in the District of
Khagaria. Petitioners.

Versus

1. The State of Bihar. Opposite Party.

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Appearance :

For the Petitioner/s : Mr. Braj Nandan Kumar Tiwary

For the Opposite Party/s : Mr. Ashok Kumar Singh -1

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**
ORAL ORDER

02 16-02-2018

Heard learned counsel for the petitioners and learned

APP for the State.

The petitioners seek bail in Excise Complaint Case
No.618/2017 registered under Section 30 (k) of the Bihar
Prohibition and Excise Act, 2016.

200 liters of country made is said to have been
recovered from the Bolero vehicle and the petitioners allegedly
sitting in the vehicle were apprehended while one another accused
managed to escape.

It is submitted by learned counsel for the petitioners
that no incriminating article has been recovered from the
conscious physical possession of the petitioners. As a matter of
fact, they had gone to Basukinath to perform worship and while



they were regressing to their house and arrived near the place of occurrence the personnel of Excise Department falsely implicated them by planting the aforesaid liquor in the vehicle. They have no criminal antecedent. They have been languishing in custody since 16.11.2017.

In the facts and circumstances of the case, the above named petitioners are directed to 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 the learned Special Judge Excise-cum-A.D.J.-II, Banka in connection with Excise Complaint Case No.618 of 2017.

(Prakash Chandra Jaiswal, J)

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