

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24688 of 2018

Arising Out of PS. Case No.-22 Year-2018 Thana- KARAI PARSARAI District- Nalanda

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1. Haddi Gope @ Umesh Gope Son of Late Rameshwar Gope
 2. Baban Gope Son of Haddi Gope @ Umesh Gope
 3. Shishupal Gope Son of Haddi Gope @ Umesh Gope
 4. Gopi @ Gabbar Gope Son of Late Budhwa Gope All are residents of village Jharhapar PS Karai Parshurai, Distt. Nalanda.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rabindra Prasad Singh
For the Opposite Party/s : Smt Sangeeta Sharma

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 01-05-2018 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners seek bail in connection with Karai Parshurao P.S. Case no. 22 of 2018 registered under Section 30(A)(D) of Bihar Prohibition & Excise Act-2016.

40 lts. of country made liquor is said to have been recovered from the mustard field of petitioner no. 1 (Haddi Gope @ Umesh Gope) while 1000/- lts. of half processed liquor was recovered from the bank of *Bhuthai* river located adjacent to the aforesaid field and petitioners managed to escape from the place of occurrence.

It is submitted by learned counsel for the petitioners



that no incriminating article has been recovered from conscious physical possession of the petitioners. They have no concern either with the seized article or with the place of recovery. The said mustard field is not of Haddi Gope @ Umesh Gope. They have been falsely implicated in the case at the instance of villagers due to dirty village politics. They were not apprehended on the spot. Petitioner no. 4 has no criminal antecedent while one more case under Excise Act has been lodged against the petitioner nos. 1 to 3, but they are on bail in the said case. They have been languishing in custody since 27.03.2018.

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 VIth Sessions Judge-cum-Special Judge, Excise, Nalanda at Biharsharif in connection with Karai Parshurao P.S. Case no. 22 of 2018.

(Prakash Chandra Jaiswal, J)

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