

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25310 of 2018

Arising Out of PS.Case No. -128 Year- 2018 Thana -MOTIHARI MUFASIL District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Wakil Mukhiya, son of Ganga Mukhiya,
 2. Hitlal Mukhiya @ Jitlal Mukhiya, son of Late Chhathu Mukhiya, Both residents of Village- Hasuaha, P.S.- Mufassil, District- East Champaran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar @ Sonu Babu
Miss Rashmi Jha

For the Opposite Party/s : Mr. Mustaque Alam

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

2 02-05-2018 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners seek bail in a case registered for the offence punishable under Sections 272 and 273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

18 litres of country made liquor is said to have been recovered from the bank of Hasuaha Ghat and the petitioners were apprehended while one other 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. They have no concern either with the seized liquor or with the place of recovery. Place of recovery is open place. They have been falsely implicated in the case by the police merely on suspicion while they were passing through the place of occurrence at the time of occurrence. They have no criminal antecedent. They have been languishing in custody since 15.03.2018.

Considering the facts aforesaid, 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, East Champaran, Motihari in connection with Mufassil P.S. Case No. 128 of 2018.

(Prakash Chandra Jaiswal, J)

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