

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25412 of 2018

Arising Out of PS.Case No. -26 Year- 2018 Thana -AURAI District- MUZAFFARPUR

- =====
1. Santosh Kumar, S/o Bhogendra Ray,
 2. Rajesh Kumar S/o Sogarath Ray,
 3. Mukesh Kumar S/o Late Sakal Deo Ray, All R/o Vill.- Devkuli, P.S.- Aurai, District- Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Nafisuzzoha

For the Opposite Party/s : Mr. Sir Pawan Kumar Chaurasiya

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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 273/34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

23.250 litres of foreign liquor is said to have been recovered from the Belero and the petitioners sitting in the said vehicle were apprehended.

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 vehicle in question. They were not sitting in the said vehicle. They had congregated at the place of occurrence to see the gathering there and they have been falsely implicated in the case by the police merely on suspicion as they refused to put signature on the seizure list. They have no criminal antecedent. They have been languishing in custody since 03.03.2018.

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 Act, Muzaffarpur in connection with Aurai P.S. Case No. 26 of 2018.

(Prakash Chandra Jaiswal, J)

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