

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34212 of 2018

Arising Out of PS.Case No. -85 Year- 2018 Thana -PATAHI District-
EASTCHAMPARAN(MOTIHARI)

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1. Satyam Kumar, S/o Lalan Singh,
2. Krishna Bihari S/o Ram Ekbal Sah,
3. Omprakash S/o Kamleshwer Sharma, All Residents of Vill.- Jihuli, P.S.-
Patahi, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Smt. Pronati Singh

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

2 20-06-2018 Heard learned counsel for the petitioners and
learned APP for the State.

Petitioners seek bail in a case registered for the
offence punishable under Sections 188, 272, 273 and 414/34 of the
Indian Penal Code and Sections 30(a), 34, 38 and 41 of the Bihar
Prohibition and Excise Act, 2016.

144.180 litres of foreign liquor is said to have been
recovered from the Honda City car and the petitioner no. 3
Omprakash was apprehended while escaping from the aforesaid
car while petitioners Satyam Kumar and Krishna Bihari are said to
be facilitators of the occurrence.



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 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 and real culprit managed to escape seeing the police party. He has no criminal antecedent. He has been languishing in custody since 18.05.2018.

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 4th Addl. Sessions Judge cum Special Judge, Excise Act, East Champaran, Motihari, in connection with Patahi P.S. Case No. 85 of 2018.

(Prakash Chandra Jaiswal, J)

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