

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38557 of 2018

Arising Out of PS. Case No.-235 Year-2018 Thana- SHERGHATI District- Gaya

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1. Kamlesh Kumar Son of Aditya Mahto
 2. Bablu Choudhary Son of Late Ram Jee Choudhary
 3. Pappu Kumar @ Pappu Choudhary Son of Suresh Choudhary All residents of Mohalla - Leepganj Chali, P.S. - Sherghati, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vishwa Ranjan Choudhary
For the Opposite Party/s : Mr. Mukeshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 03-07-2018 Heard learned counsel for the petitioners and learned APP for the State.

The petitioners seek bail in connection with Sherghati P.S. Case No. 235 of 2018 registered under Section 30(a) of Bihar Prohibition and Excise Act, 2016.

100 lts. of country made liquor is said to have been recovered from motorcycle of the petitioners Kamlesh Kumar and Bablu Choudhary while 50 lts. of country made liquor from petitioner Pappu Kumar @ Pappu Choudhary and the aforesaid petitioners were apprehended.

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 with the seized liquor. They have been falsely implicated in this case by the police due to some altercation between them over some trivial matter. It is not possible to carry the aforesaid quantity of liquor on the motorcycle. There is no compliance of Section 100 Cr.P.C. They have no criminal antecedent. They have been languishing in custody since 9.05.2018.

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, Gaya in connection with Sherghati P.S. Case No. 235 of 2018

(Prakash Chandra Jaiswal, J)

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