

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34311 of 2018

Arising Out of PS.Case No. -149 Year- 2018 Thana -PATLIPUTRA District- PATNA

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1. Baliram Kumar @ Chotu, S/o Late Sherbahadur Rai, Resident of Anisabad, Kaushal Nagar Apolo Road, P.S.- Hawai Adda, District- Patna.
 2. Babita Devi, W/o Sri Satya Prakash Panda, Resident of Tamaar, P.S.- Tamaar, District- Ranchi, Jharkhand.
 3. Raju Sharma, S/o Shivdhari Sharma, Resident of Koilama, P.S.- Kalyanbiga, District- Nalanda.
 4. Nagendra Sao, S/o Girja Sao, Resident of Road No.33, P.S.- Ramgarh, District- Ramgarh, Jharkhand.

.... Petitioners

Versus

1. The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Pratyush Kumar, Adv.

For the Opposite Party : Mr. Sunil Kumar Pandey, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

02 20-06-2018 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 30 (a), 38 (1)(2) and 41(1) of the Bihar Prohibition and Excise Act, 2016.

26.5 liters of foreign liquor is said to have been recovered from the Skoda Octavia car and petitioners 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



- 2 -

with the seized liquor or the vehicle in question. As a matter of fact, petitioners have been falsely implicated in this case by the police merely on suspicion while they were passing through the place of occurrence at the time of occurrence and the real culprit managed to escape. They have no criminal antecedents and have been languishing in custody since 13.04.2018.

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, Patna in connection with Patliputra P.S. Case No. 149 of 2018, corresponding to Special Case No. 3541 of 2018.

(Prakash Chandra Jaiswal, J)

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