

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42071 of 2018

Arising Out of PS. Case No.-190 Year-2018 Thana- RUPASPUR District- Patna

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1. Gorakh Nat, S/o Late Mana Nat, R/o Badi Badalpur, P.S. Khagaul, Distt-Patna.
 2. Laddan Nat, S/o Ramjee Nat, R/o Khagaul Lakh Par, P.S. Danapur, Distt-Patna.
 3. Sanjeet Paswan, S/o Bali Paswan, R/o Sareya Galchaur, P.S. Sareya, Distt-Bhojpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Pathak
For the Opposite Party/s : Smt. Sucheta Yadav

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 12-07-2018 Heard learned counsel for the petitioners and learned APP for the State.

The petitioners seek bail in connection with Rupaspur P.S. Case no. 190 of 2018 registered under Sections 399, 400, 402, 414 of I.P.C., Sections 25(1-b)a, 26/35 of Arms Act and Sections 38(1), 41(1) of Bihar Prohibition and Excise Act 2016.

Petitioners along with other accused persons are said to have congregated at the place of occurrence for making preparation to commit some offence. Petitioners and five other accused persons were apprehended and from possession of the apprehended accused Noor Alam, one country made pistol and



one live cartridge were recovered and from the Tata Sumo Gold vehicle parked near the place of occurrence, 20 lts. of country made liquor was recovered.

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 aforesaid occurrence. As a matter of fact, the petitioners were proceeding to extract honey from the beehive in the wee hour and have been falsely implicated in this case by the police merely on suspicion. The seizure list does not bear the signature of the petitioners. They have no criminal antecedent. They have been languishing in custody since 13.05.2018.

In the facts and circumstances of the case, the above named petitioners are directed to be enlarged on bail on furnishing bail bonds 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 Rupaspur P.S. Case no. 190 of 2018.

(Prakash Chandra Jaiswal, J)

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