

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42985 of 2018

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1. Vijay Kumar Rai @ Vijay Kumar Ray, S/o Sitaram Rai @ Sitaram Ray,
2. Shivjee Rai @ Shivji Ray S/o Late Raghuvver Rai @ Late Raghunath
Ray, Both are R/o Vill.- Rasalpur, Ward No. 9, P.S.- Dumra, District-
Sitamarhi. Petitioners.

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shankar Kumar

For the Opposite Party/s : Mr. Manoj Kumar

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

02 17-07-2018 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 Section 30 (a) of the Bihar Prohibition and
Excise Act, 2016.

27.360 liters of Nepali Saufi wine is said to have been
recovered from the joint possession of the petitioners.

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 with
the seized liquor. They have been falsely implicated in this case at
the instance of their enemy by planting the aforesaid recovery
from their possession. There is violation of Section 100



Cr.P.C. They have no criminal antecedent and have been languishing in custody since 11.06.2018.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge-II-cum-Special Judge Excise Act, Sitamarhi in connection with Case No. C-2/323 of 2018.

(Prakash Chandra Jaiswal, J)

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