

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42128 of 2018

- =====
1. Pramod Kumar, son of Karoo Choudhary @ Karu Chaudhary
 2. Bambam Kumar, son of Ram Pravesh Singh, Both are residents of village - Chhotaki Nawadah, Police Station Delha, District - Gaya.
- Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No-2

For the Opposite Party/s : Mr. Tapeswar Sharma

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

02 13-07-2018 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 414/34 of the Indian Penal Code and Section 30 (a) of the Bihar Prohibition and Excise Act, 2016.

230 liters of country made liquor is said to have been recovered from a tempo and three persons including the petitioners were apprehended in the course of unloading the liquor from the said tempo.

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 the tempo in question. They happen to be simple commuters and had no knowledge of keeping of the said



liquor in the tempo. They have been falsely implicated in this case by the police merely on suspicion while they were alighting from the said tempo. Though two more cases under the Excise Act have been lodged against them but they are on bail in the aforesaid cases. They have been languishing in custody since 07.05.2018.

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 Delha P.S. Case No. 119 of 2018.

(Prakash Chandra Jaiswal, J)

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