

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.43501 of 2018

Arising Out of PS.Case No. -71 Year- 2018 Thana -PIRPAINTI District- BHAGALPUR

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1. SUMAN PAHADIYA, s/o Suruj Pahadiya @ Suraj Pahadiya
 2. Rajesh Pahadiya, s/o Asan Pahadiya, all r/v- Jagdishpur More, Pahariya Toli, P.S.-Pirpanti, District- Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee, Advocate

For the Opposite Party/s : Mr. Anand Mohan Prasad Mehta, APP

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 19-07-2018 Heard learned counsel for the petitioners and learned APP for the State.

The petitioners seek bail in Pirpanti P.S. Case No. 71/2018, registered under Sections 188, 272, 273 and 290 of the Indian Penal Code and under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

10 litres country made liquor is said to have been recovered from the north side of the house of the petitioner Suman Pahadiya and 12 litres country made liquor is said to have been recovered in front of the house of the petitioner Rajesh Pahadiya. The petitioners managed to escape.

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 place of recovery. The place of recovery is open place and is easily accessible to anyone. They were not apprehended on the spot. They have no criminal antecedent and have been languishing in custody since 16.05.2018.

Considering the facts aforesaid, the above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned 2nd Additional Sessions Judge-cum-Special Judge (Excise), Bhagalpur, in connection with Pirpanti P.S. Case No. 71/2018.

(Prakash Chandra Jaiswal, J.)

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