

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.43392 of 2018

Arising Out of PS.C.ase No. -71 Year- 2018 Thana -KUNDWACHAINPUR District-
EASTCHAMPARAN(MOTIHARI)

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1. Imteyaz Alam son of Nasim Akhtar.
2. Nezamudin Alam son of Jamil Akhtar. Both are Resident of Village-
Kharuhi, Police Station- Kundwa Chainpur, District- East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar No.-7, Advocate

For the Opposite Party/s : Mr. Amit Kumar Rakesh, 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 Kundwa Chainpur P.S.
Case No. 71/2018, registered under Sections 272, 273/34 of the
Indian Penal Code and under Section 30(a) of the Bihar
Prohibition and Excise Act, 2016.

37.500 liters of Nepali liquor is said to have been
recovered from the cycle of petitioner Imteyaz Alam and 55.500
litres of Nepali liquor is said to have been recovered from the
cycle of petitioner Nezamuddin and they 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 with the aforesaid liquor. They have been falsely implicated in this case by the police personnel on suspicion while they were passing through the place of occurrence at the time of occurrence. Real culprits managed to escape dumping the aforesaid liquor there seeing the police party. They have no criminal antecedents and have been languishing in custody since 17.05.2018.

Considering the facts aforesaid, the above named petitioners are directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise, Motihari, East Champaran, in connection with Kundwa Chainpur P.S. Case No. 71/2018.

(Prakash Chandra Jaiswal, J.)

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