

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44109 of 2018

Arising Out of PS.Case No. -89 Year- 2018 Thana -RAGHUNATHPUR District- SIWAN

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1. Bimal Kumar Pandey, Son of Sri Baidyanath Pandey, resident of Villagle- Harpur, Police Station Guthani, District- Siwan (Bihar).
2. Ajay Kumar Yadav, Son of Late Hansnath Yadav, Resident of Village Chakri, Police Station Darauli, District Siwan (Bihar).

.... Petitioners.

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satya Nand Shukla

For the Opposite Party/s : Mr. Umanath Mishra

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

2 23-07-2018 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 Sections 272, 273 & 304/34 of the Indian Penal Code and Section 30 (a), 31 (a) and 41 (a) of the Bihar Prohibition and Excise Act, 2016.

18 liters of foreign liquor is said to have been recovered from the bag kept on the motorcycle and the petitioners sitting on the said motorcycle 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 seized liquor. They have been falsely implicated in this case at the instance of their enemies by planting the aforesaid recovery from their possession. They have no criminal antecedent and have been languishing in custody since 02.06.2018.

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 2nd Additional Sessions Judge-cum-Special Judge Excise, Siwan in connection with Raghunathpur P.S. Case No.89 of 2018.

(Prakash Chandra Jaiswal, J)

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