

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46980 of 2018

Arising Out of PS. Case No.-158 Year-2018 Thana- MUSAHRI District- Muzaffarpur

1. Neeraj Kumar, S/o Ram Binod Singh
2. Sunandan Kumar @ Sundan Kumar S/o Jayanand Jha.
Both R/o Vill-Ramkrishna Dubiyahin, P.S. Saraiya (Jaintpur O.P.) Distt-
Muzaffarpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hari Kishore Thakur

For the Opposite Party/s : Mr. Abhay Kumar Roy

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

ORAL ORDER

2 01-08-2018 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners seek bail in connection with
Mushahari P.S. Case No. 158 of 2018 registered for the offence
punishable under Sections 414, 272 and 273 of the Indian Penal
Code and Sections 30 (a), 36 and 38 of Bihar Prohibition Excise
Act, 2016.

4.320 lts. of foreign liquor is said to have been
recovered from stolen Alto car and petitioner Neeraj Kumar
who was driving the said car and petitioner Sunandan Kumar
was sitting in it were apprehended.

It is submitted by learned counsel for the



petitioners that no incriminating article has been recovered from conscious physical possession of the petitioners. They have no concern either with the seized liquor or with the vehicle in question. They have been falsely implicated in this case by the police while they were regressing from his aunt house and refused to become seizure list witnesses of the aforesaid recovery. No case regarding theft of the aforesaid vehicle has been lodged against the petitioners. They have no criminal antecedent. They have been languishing in custody since 08.07.2018.

In the facts and circumstances of the case, the above named petitioners are directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Special Judge Excise Act, Muzaffarpur in connection with Mushahari P.S. Case No. 158 of 2018.

(Prakash Chandra Jaiswal, J)

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