

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47759 of 2018

Arising Out of PS.Case No. -389 Year- 2018 Thana -BARACHATTI District- GAYA

- =====
1. Akhilesh Yadav, Son of Karu Yadav, resident of village – Mora Tal, P.S.-Bodh Gaya, District-Gaya.
 2. Naresh Kumar, Son of Rajendra Yadav, resident of village – Darjiyachak, P.S.-Tankuppa, District-Gaya.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Prithivi Raj Singh

For the Opposite Party/s : Mr. Akbar Ali

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

2 06-08-2018 Heard learned counsel for the petitioners and learned APP for the State.

Petitioners seek bail in a case registered for the offence punishable under 30(d) of the Bihar Prohibition and Excise Act, 2016.

100 Kg of Mahua is said to have been recovered from each of the two motorcycles of the petitioners and the petitioners 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 article. They have been falsely implicated in the case by the police merely on suspicion while they were



passing through the place of occurrence at the time of occurrence and real culprit managed to escape dumping the aforesaid article there seeing the police personnel. There is violation of Section 100 Cr.P.C. They have no criminal antecedent. They have been languishing in custody since 12.06.2018.

Considering the facts aforesaid, 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 Barachatti (Mohanpur) P.S. Case No. 389 of 2018.

(Prakash Chandra Jaiswal, J)

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