

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47235 of 2018

Arising Out of PS.Case No. -502 Year- 2018 Thana -MUZAFFARPUR SADAR District-
MUZAFFARPUR

- =====
1. Pappu Kumar Gupta, S/o. Late Satya Narayan Sah, R/o. Village-
Dumari, P.S.- Muzaffarpur Sadar, District- Muzaffarpur.
 2. Vicky Kumar, S/o. Bhola Sah, R/o. Village- Darjiya, P.S.- Kurhani,
District- Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar Singh
Mr. Santosh Kumar

For the Opposite Party/s : Mr. Shyam Bihari Singh

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

2 02-08-2018 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 Section 30 (a) of the Bihar Prohibition
and Excise Act, 2016.

25.92 liters of foreign liquor is said to have been
recovered from the house of Mukesh Patel and said accused and
petitioners were apprehended in the course of escaping from the
aforesaid place. Mukesh Patel divulged the name of the
petitioners as traders of the liquor.

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. They have been falsely implicated in this case by accused Mukesh Patel due to animosity. There is no nothing on record indicating the complicity of the petitioners in the occurrence barring the disclosure made by the apprehended accused which has no evidentiary value in the eye of law. They have no criminal antecedent and have been languishing in custody since 07.07.2018.

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 Special Judge Excise Act, Muzaffarpur in connection with Muzaffarpur Sadar P.S. Case No. 502 of 2018.

(Prakash Chandra Jaiswal, J)

Kr. Uday/-

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