

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45928 of 2018

Arising Out of PS.Case No. -548 Year- 2018 Thana -BIHTA District- PATNA

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1. Mahesh Yadav Son of Sri Ram Laddu Yadav
2. Bhakur Chaudhary Son of late Musan Chaudhary
3. Dhanpat @ Banpar Yadav@ Banpar Son of late Dinanath Yadav All are
Residents of Village- Tarengana; Police Station- Bihta, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vibhuti Ranjan Sonvadra

For the Opposite Party/s : Mr. Surendra Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 30-07-2018 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 Section 30 (a) of the Bihar Prohibition and Excise Act, 2016.

400 liters of country made liquor is said to have been recovered from the several places in the bush and the petitioners were apprehended in the course of escaping from the said place while other co-accused managed to escape.

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. The place of recovery is an open place and easily accessible to anyone. They have been falsely implicated in this case by the police merely on suspicion while they had gone to attend the call of nature there. They have been languishing in custody since 23.05.2018.

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, Patna in connection with Special Case No. 4858f of 2018 arising out of Bihta P.S. Case No. 548 of 2018.

(Prakash Chandra Jaiswal, J)

Kr. Uday/-

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