

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49557 of 2018

Arising Out of PS.Case No. -77 Year- 2018 Thana -BISHWAMBHARPUR District- GOPALGANJ

- =====
1. Kanchan Kumar Son of Kamlesh Ram@ Bipat Ram@ Kamlesh Kumar Das
 2. Sagar Kumar Son of late Rajesh Ram Both are Resident of Peoni Bagh, Baswariya, Ward No. 32, P.S. Bettiah Town, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Gupta

For the Opposite Party/s : Mr. Md. Ansarul Haque

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

- 2 13-08-2018 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.

36.180 liters of foreign liquor is said to have been recovered from the scooty and 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 liquor. They have been falsely implicated in this case by the police merely on suspicion while they were passing through



the place of occurrence at the time of occurrence while the real culprit managed to escape dumping the aforesaid liquor there seeing the police personnel. They have no criminal antecedent and have been languishing in custody since 04.07.2018.

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 Additional Sessions Judge 2nd -cum-Special Judge Excise Act, Gopalganj in connection with Bishambharpur P.S. Case No. 77 of 2018.

(Prakash Chandra Jaiswal, J)

Kr. Uday/-

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