IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51082 of 2018

Arising Out of PS. Case No.-162 Year-2018 Thana- BAHADURPUR District- Patna

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1. Mohammad Sahzad @ Tiyai @ Md. Shahnawaz Son of Mohammad Siddiqui @ Sadik
2. Mohammad Nizam @ Md. Nezam Son of Mansoor Both R/o Mohalla - Karbala, Dargah Road, Police Station - Sultanganj, District - Patna.
3. Manoranjan Ravidas Son of Nathun Ravidas resident of Village - Gur Ki Mandi, Police Station - Alamganj, District - Patna.

... ... Petitioner/s

Versus

The State of Bihar.

... ... Opposite Party/s

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with

Criminal Miscellaneous No. 51158 of 2018

Arising Out of PS. Case No.-162 Year-2018 Thana- BAHADURPUR District- Patna

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Md. Sarfaraz S/o Gulam Rasul, R/o Goalghar Park Road, P.S.- Gandhi Maidan, District- Patna.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
(In Criminal Miscellaneous No. 51082 of 2018)
For the Petitioner/s : Mr. Arvind Kumar Mouar
For the Opposite Party/s : Smt. Suman Kumari Singh
(In Criminal Miscellaneous No. 51158 of 2018)
For the Petitioner/s : Mr. Pankaj Kumar Sinha
For the Opposite Party/s : Mr. Navin Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 20-08-2018 Heard learned counsel for the petitioners and learned APP for the State.

The petitioners seek bail in connection with Bahadurpur P.S. Case No. 162 of 2018 registered for the

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offence punishable under Sections 30(a), 38 and 41 of Bihar Prohibition Excise Act, 2016.

176 lts. of foreign liquor and country made liquor is said to have been recovered from the room and the trolley parked in the campus of Md. Asgar and the petitioners were apprehended from the said place.

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 place of recovery. They happen to be labrour and were working at the house of Panna Lal located adjacent to the place of recovery and they have falsely implicated in this case by the police merely on suspicion. Petitioner nos. 1, 3 of Cr. Misc. no. 51082 of 2018 and petitioner of Cr. Misc. no. 51158 of 2018 have no criminal antecedent while one more case under Excise Act has been lodged against the petitioner no. 2 of Cr. Misc. no. 51082 of 2018, but he is on bail in the said case. They have been languishing in custody since 29.06.2018.

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

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two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise, Patna in connection with Bahadurpur P.S. Case No. 162 of 2018.

(Prakash Chandra Jaiswal, J)

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