

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52425 of 2018

Arising Out of PS.Case No. -50 Year- 2018 Thana -IMAMGANJ District- GAYA

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1. Sivnandan Bhuiya, S/o. Somar Bhuiya,
 2. Nanhu Bhuiya, S/o. Janki Bhuiya, both R/o. Village- Padariya, P.O.-
Imamganj, District- Gaya, Bihar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Birendra Kumar Singh

For the Opposite Party/s : Mr. Ajay Kumar Jha

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 25-08-2018 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 Sections 30(a) (d) and 45 of the Bihar
Prohibition and Excise Act, 2016.

20 litres of country made liquor is said to have been
recovered from the house of petitioner no.1-Sivnandan Bhuiya and
he managed to escape. Petitioner no.1 and other accused person
from whose house liquor was recovered and villagers resorted
pelting stone on the raiding party and confined them who were
later on released on the arrival of the reinforcement.

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 the case at the instance of their enemies. The house of the petitioner no. 1, namely, Sivnandan Bhuiya is joint family house and is inhabited by his several family members and he had no knowledge of keeping of the said liquor in the house while petitioner no. 2, namely, Nanhu Bhuiya is not named in the F.I.R and there is no allegation levelled against him in the written report. They have no criminal antecedent. They have been languishing in custody since 11.06.2018.

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 Imamganj P.S. Case No. 50 of 2018.

(Prakash Chandra Jaiswal, J)

Kr. Uday/-

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