

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52593 of 2018

Arising Out of PS.Case No. -230 Year- 2018 Thana -BAGHA District-
WESTCHAMPARAN(BETTIAH)

- =====
1. Chhotelal Yadav, S/o. Prahlad Yadav, R/o. Village- Chakhni Chhatraul, P.S.- Bagaha, District- West Champaran.
 2. Shyam Bihari Chaudhary, S/o. Late Hari Chaudhary, R/o. Village- Rahman Nagar, P.S.- Bagaha, District- West Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Smt Indu Kumari Srivastava

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 27-08-2018 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 272 and 273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

50 litres of country made liquor is said to have been recovered from the motorcycle and petitioners sitting on the said motorcycle 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. Petitioner no. 1 has no criminal antecedent while five other criminal cases have been lodged against petitioner no. 2, but he is on bail in the aforesaid cases. They have been languishing in custody since 21.05.2018.

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, West Champaran at Bettiah in connection with Bagaha P.S. Case No. 230 of 2018.

(Prakash Chandra Jaiswal, J)

Kr. Uday/-

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