

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51690 of 2018

Arising Out of PS. Case No.-234 Year-2018 Thana- ARA MUFFSIL District- Bhojpur

1. Shankar Yadav, S/o Vijay Yadav.
2. Shivjee Yadav @ Jai Prakash Yadav, S/o Angrahit Yadav, both are R/o Vill-
Mani Rai Ka Tola P.S. Ara Muffasil, District-Bhojpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajani Ranjan Pd. Singh
For the Opposite Party/s : Mr. Shantanu Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

2 23-08-2018 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners seek bail in connection with Ara(M)
(Dhobaha) P.S. Case no. 234 of 2018 registered under Sections
272, 273/34 of I.P.C. and Section 30(a) of Bihar Excise and
Prohibition Act-2016.

69.120 lts. of foreign liquor is said to have been
recovered from the room of the girls school badha coal and
petitioners were apprehended while other accused persons
managed to escape 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 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. There is no compliance of Section 100 Cr.P.C. The petitioner no. 1 has no criminal antecedent while one more criminal case has been lodged against the petitioner no. 2, but he is on bail in the said case. They have been languishing in custody since 16.07.2018.

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 two sureties of the like amount each to the satisfaction of the learned A.D.J.-IV-cum-Special Judge, Excise, Bhojpur at Ara in connection with Ara(M) (Dhobaha) P.S. Case no. 234 of 2018.

(Prakash Chandra Jaiswal, J)

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