

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52250 of 2018

Arising Out of PS.Case No. -514 Year- 2018 Thana -AGAMKUAN District- PATNA

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1. Munna Kumar son of Satyendra Sao, resident of village- Dewan Tok,
P.S.- Ganga Bridge, District- Vaishali.
2. Devendra Prasad alias Devendra Kumar son of Late Mistri Rai, resident
of Village- Deokiya, P.S.- Ganga Bridge, District- Vaishali

.... Petitioners.

Versus

The State of Bihar. Opposite Party.

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No-2

For the Opposite Party/s : Mr. Sanjay Kumar

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

02 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 Section 30 (a) of the Bihar Prohibition and
Excise Act, 2016.

Two tempos were apprehended by the police and from the
tempo of the petitioners 110 liters of country made liquor was
recovered and petitioner no.1-Munna Kumar who happens to be
its driver and petitioner no.2-Devendra Prasad alias Devendra
Kumar sitting in the tempo 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



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the seized liquor. As a matter of fact, the aforesaid liquor was recovered from another tempo which was apprehended by the police but as the petitioners refused to become seizure list witnesses of the aforesaid seizure of the liquor they have been falsely implicated in this case by the police. They have no criminal antecedent and have been languishing in custody since 26.07.2018.

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 Special Judge Excise Act, Patna in connection with Special Case No. 6839 of 2018, arising out of Agamkuan P.S. Case No. 514 of 2018.

(Prakash Chandra Jaiswal, J)

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