

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54198 of 2018

Arising Out of PS.Case No. -30 Year- 2018 Thana -KOTHIGRAM District- GAYA

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1. Jatu Prasad, S/o Late Sukan Sao, R/o Vill.- Gajadharpur, P.S.- Kothi, District- Gaya.
 2. Sukan Yadav, Son of Late Mithu Yadav, Resident of village – Telwari Tola Mohandih, P.S.-Kothi, District – Gaya.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Sinha

For the Opposite Party/s : Mr. Sanjay Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

2 31-08-2018 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.

15 litres of country made liquor is said to have been recovered from the motorcycle and the 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 either with the seized liquor or motorcycle in question. They have been falsely implicated in the case by the police merely on suspicion while they were passing through the place of occurrence at the time of occurrence and real culprit managed to escape leaving the aforesaid liquor laden motorcycle there seeing the police personnel. They have no criminal antecedent. They have been languishing in custody since 15.07.2018.

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 Excise Judge, Gaya in connection with Kothi P.S. Case No. 30 of 2018.

(Prakash Chandra Jaiswal, J)

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