

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54135 of 2018

Arising Out of PS.Case No. -326 Year- 2018 Thana -BAGHA District-
WESTCHAMPARAN(BETTIAH)

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1. Sukai Ram, Son of Shesh Nath Ram.
2. Kamlesh Ram, Son of Late Bharath Ram.
Both are residents of Kailash Nagar, Chiran Tola, P.S.-Bagaha Pat
Khauli, District – West Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Gupta

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

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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.

Petitioners seek bail in a case registered for the
offence punishable under Section 30(a) of the Bihar Prohibition
and Excise Act, 2016.

55 litres of foreign liquor is said to have been
recovered from the house of petitioner no.2 Kamlesh Ram who
managed to escape while petitioner no.1 Sukai Ram was
apprehended from the said house.

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 any trade of liquor. The house of the petitioner no.2 Kamlesh Ram is inhabited by several family members and he had no knowledge of keeping of the liquor in the house. He was not apprehended on the spot. Petitioner no.1 Sukai Ram happens to be relative of Kamlesh Ram and had arrived at his house to see him at the time of occurrence and he has been falsely implicated in the case merely on suspicion. They have no criminal antecedent. Petitioners Sukai Ram and Kamlesh Ram have been languishing in custody since 09.07.2018 and 10.07.2018 respectively.

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 Incharge Special Judge, Excise, Bettiah, West Champaran in connection with Patkhauri P.S. Case No. 326 of 2018.

(Prakash Chandra Jaiswal, J)

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