

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2631 of 2018

Arising Out of PS.Case No. -616 Year- 2017 Thana -SHERGHATI District- GAYA

- =====
1. Mahendra Das, S/o Kailash Das,
 2. Brij Nandan Das @ Birju @ Birju Das S/o Ramkrishna Das, Both R/o Village- Gangta, P.S.- Hunterganj, District- Chatra (Jharkhand).

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Sanjay Kumar Sharma, Advocate

For the Opposite Party/s : Mr. Shyam Kumar Singh, APP.

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

2 24-01-2018 Heard learned counsel for the petitioners and learned APP for the State.

The petitioners seek bail in Sherghati P.S. Case No. 616 of 2017 registered under Sections 272 and 273 of the Indian Penal Code and Section 30(a) of the Bihar Excise Amendment Act, 2016.

105 litres of country made liquor is said to have been recovered from the possession of the petitioners in the course of escaping on motorcycle after seeing the police at the place of occurrence.

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 been falsely implicated by the police at the instance of their enemies. They have neither any concern with the aforesaid motorcycle nor with the seized liquor. They have no criminal antecedent. They have been languishing in custody since 28.10.2017.

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), Gaya in connection with Sherghati P.S. Case No. 616 of 2017.

(Prakash Chandra Jaiswal, J)

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