

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29320 of 2018

Arising Out of PS. Case No.-121 Year-2018 Thana- SAHEBGANJ District- Muzaffarpur

Rakesh Kumar Singh @ Pankaj Singh S/o Maya Shankar Singh, R/o Vill.-
Dostpur, P.S.- Sahebganj, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

Criminal Miscellaneous No. 29448 of 2018

Arising Out of PS. Case No.-121 Year-2018 Thana- SAHEBGANJ District- Muzaffarpur

Mukhi Yadav, Son of Late Ram Chandra Yadav, resident of Village- Tikulia,
Laxmipur, P.S.- Muffasil, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

(In Criminal Miscellaneous No. 29320 of 2018)

For the Petitioner/s : Mr. Ganesh Prasad Singh

For the Opposite Party/s : Mr. Ramesh Chandra

(In Criminal Miscellaneous No. 29448 of 2018)

For the Petitioner/s : Mr. Ganesh Prasad Singh

For the Opposite Party/s : Mr. Ramesh Chandra

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

ORAL ORDER

5 17-07-2018 Heard learned counsel for the petitioners and

learned APP for the State.

The petitioners seek bail in connection with
Sahebganj P.S. Case No. 121 of 2018 registered under Sections
272, 273 of I.P.C. and Sections 30(a), 41 of the Bihar
Prohibition and Excise Act-2016.

490 lts. of spirit is said to have been recovered
from Malang Asthan and petitioners wandering near the



aforesaid place were apprehended in the course of escaping from the said place.

It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from conscious physical possession of the petitioners. They have no concern either with the seized article or with the place of recovery. The place of recovery is open place and easily accessible to anyone. He has been falsely implicated in this case by the police merely on suspicion while he was passing through the place of occurrence at the time of occurrence and the real culprits managed to escape dumping the aforesaid article there. They have no criminal antecedent. They have been languishing in custody since 15.04.2018.

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 Special Judge, Excise Act, Muzaffarpur in connection with Sahebganj P.S. Case No. 121 of 2018.

(Prakash Chandra Jaiswal, J)

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