

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44085 of 2018

Arising Out of PS.Case No. -25 Year- 2018 Thana -NTPC District- BHAGALPUR

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1. Mantu Das, S/o Khir Das,
2. Madan Das S/o Late Chandan Das, Both are R/o Mohalla- Kaddu Tola,
Alampur, P.S.- N.T.P.C., District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shyam Kishor Das

For the Opposite Party/s : Mr. Rajballabh Singh

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

3 30-07-2018 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 188, 290, 272 & 273/34 of the Indian Penal Code and Sections 30 (a) and 30(G) of the Bihar Prohibition and Excise Act, 2016.

19 liters of country made liquor is said to have been recovered from the motorcycle of the petitioners and petitioners 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



the seized liquor. They have been falsely implicated in this case at the instance of their enemy by planting the aforesaid recovery from their possession. There is violation of Section 100 Cr.P.C. They have no criminal antecedent and have been languishing in custody since 23.04.2018.

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 Additional Sessions Judge 2nd -cum-Special Judge Excise Act, Bhagalpur in connection with N.T.P.C. P.S. Case No. 25 of 2018.

(Prakash Chandra Jaiswal, J)

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