

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30737 of 2018

Arising Out of PS.Case No. -37 Year- 2018 Thana -ANDER District- SIWAN

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Manager Prasad, S/o Bhoj Prasad, R/o Vill.- Madrapali, P.S.- Pachrukhi,
District- Siwan. Petitioner.

Versus

The State of Bihar Opposite Party.

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WITH
Criminal Miscellaneous No.37095 of 2018

Arising Out of PS.Case No. -37 Year- 2018 Thana -ANDER District- SIWAN

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Vijay Mal Yadav S/o Raj Kishore Yadav, R/o Vill.- Madrapali, P.S.-
Pachrukhi, District- Siwan. Petitioner.

Versus

The State of Bihar Opposite Party.

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Appearance :

(In Cr.Misc. No.30737 of 2018)

For the Petitioner/s : Mr. Prabhakar Singh

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

(In Cr.Misc. No.37095 of 2018)

For the Petitioner/s : Mr. Prabhakar Singh

For the Opposite Party/s : Mr. Mukeshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

05 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 272, 273 & 308 of the Indian Penal Code and Section 30 (a), 38, 41 and 37 (b) of the Bihar Prohibition and Excise Act, 2016.

531 liters of foreign liquor is said to have been recovered from the Tata Sumo vehicle and petitioners were apprehended in course of escaping from the said vehicle.



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 the vehicle in question. They have been falsely implicated in this case by the police merely on suspicion in course of proceeding to their house which is located in the vicinity of the place of occurrence while the real culprit managed to escape leaving the aforesaid liquor laden vehicle seeing the police party. They have no criminal antecedent and have been languishing in custody since 27.02.2018.

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-II-cum-Special Judge Excise, Siwan in connection with Andar P.S. Case No. 37 of 2018.

(Prakash Chandra Jaiswal, J)

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