

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16315 of 2018

Arising Out of PS.Case No. -761 Year- 2017 Thana -PHULWARI District- PATNA

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1. Mohan Ram @ Mohan Rana, aged about 45 years, Son of Late Yamuna Prasad, Resident of Village- Chitkohra Ambedkar Chowk, P.S.- Gardanibagh, Dist- Patna.
 2. Rajesh Prasad @ Ramesh Prasad, aged about 55 years, Son of Late Mahesh Prasad, Resident of Village- Chitkoh Bhikhachak, P.S.- Gardanibagh, Dist- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rudra Deo

For the Opposite Party/s : Mr. Anand Mohan Prasad Mehta

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

02 21-03-2018

Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners seek bail in Special Case No.8635 of 2017, arising out of Phulwarisharif (Janipur) P.S. Case No.761 of 2017 registered under Section 30 (a) (b) (c) of the Bihar Prohibition and Excise Act, 2016.

60 liters of country made liquor is said to have been recovered from the tempo and petitioners were apprehended on giving chase in course of escaping from the said tempo.

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 been falsely implicated in this case merely on suspicion as actual culprit managed to escape seeing the police party. They have no concern with the seized liquor or with the tempo. They have no criminal antecedent. They have been languishing in custody since 29.11.2017.

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-cum-Additional Sessions Judge-IX, Patna in connection with Phulwarisharif (Janipur)P.S. Case No. 761 of 2017.

(Prakash Chandra Jaiswal, J)

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