

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35408 of 2018

Arising Out of PS.Case No. -332 Year- 2018 Thana -KANKARBAGH District- PATNA

- =====
1. Akalu Sahani Son of late Sita Ram Sahani
2. Pramod Sahani Son of late Nand Sahani Both Resident of Mohalla-Samrat Colony, Gali No. 4, P.S. Kankarbagh, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vasant Vikas

For the Opposite Party/s : Mr. Sri Sanjay Kumar Sharma

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

2 28-06-2018 Heard learned counsel for the petitioners and learned APP for the State.

Petitioners seek bail in a case registered for the offence punishable under Sections 272 and 273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

29 litres of country made liquor is said to have been recovered from the tempo and the petitioners sitting in the said tempo 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 either with the seized liquor or tempo in question. They happen to be simple commuter and were travelling by the said tempo without knowledge of keeping of the said liquor in the tempo. Driver of the said tempo managed to escape seeing the police party leaving his tempo. Petitioners have been falsely implicated in the case. They have no criminal antecedent. They have been languishing in custody since 20.04.2018.

Considering the facts aforesaid, 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, Patna in connection with Kankarbagh P.S. Case No. 332 of 2018.

(Prakash Chandra Jaiswal, J)

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