

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34967 of 2018

- =====
1. Shiv Nath Choudhary, S/o Mahendra Choudhary,
 2. Binod Mahto, S/o Late Nagina Mahto, Both resident of Village-
Nawada Khurd, P.S.- Ganga Bridge, District- Vaishali.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajeev Kumar
For the Opposite Party/s : Mr. Arun Kumar

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

2 22-06-2018 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 Section 30(a) of the Bihar Prohibition
and Excise Act, 2016.

150 litres of toddy being transported by the
petitioners on the motorcycle was seized and the 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 article. They have been falsely implicated
in the case by the police merely on suspicion while they were



passing through the place of occurrence at the time of occurrence and real culprit managed to escape dumping the aforesaid article at the place of occurrence seeing the police party. They have no criminal antecedent. They have been languishing in custody since 25.04.2018.

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 Special Case No. 3932 of 2018 arising out of P.R. No. 35/18.

(Prakash Chandra Jaiswal, J)

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