

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43829 of 2018

Arising Out of PS.Case No. -109 Year- 2018 Thana -HASANPUR District- SAMASTIPUR

- =====
1. Nitish Kumar, Son of Sunil Kumar Yadav alias Sunil Yadav.
 2. Manish Kumar Son of Sunil Kumar Yadav alias Sunil Yadav both R/o.
Village- Ramnagar Paroriya, P.S. Hasanpur, District- Samastipur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Narain Sinha

For the Opposite Party/s : Mr. Parmeshwar Mehta

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 20-07-2018 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 41, 47, 30(a), 38(1) & 38(2)
of the Bihar Prohibition and Excise Act, 2016.

49.530 lts. of foreign liquor is said to have been
recovered from the house of the petitioners and petitioners were
apprehended.

It is submitted by learned counsel for the petitioners
that no incriminating article has been recovered from 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 enemies. The house of the petitioners



is inhabited by their several other family members and they had no knowledge of keeping of aforesaid liquor in the said house. There is violation of Section 100 Cr.P.C. They have no criminal antecedent. They have been languishing in custody since 11.06.2018.

Considering the facts aforesaid, the above named petitioners are directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge, 6th cum Special Judge, Excise Act, Samastipur in connection with Hasanpur P.S. Case No. 109 of 2018.

(Prakash Chandra Jaiswal, J)

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