

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42566 of 2018

Arising Out of PS.Case No. -117 Year- 2018 Thana -GUTHNI District- SIWAN

- =====
1. Ashok Kumar Singh, Son of Late Ramawatar Singh @ Ramawadh Singh
 2. Jitendra Kumar Manjhi, Son of late Ram Ekbal manjhi, Both are residents of village – Jhunapur, P.S.-Siwan Muffasil (Mahadewa OP), District-Siwan.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Prashant Kumar

For the Opposite Party/s : Mr. Nagendra Prasad

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

2 16-07-2018 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 and 273/34 of the Indian Penal Code and Sections 30(a), 38(a) and 41(1) of the Bihar Prohibition and Excise Act, 2016.

216 litres of foreign liquor is said to have been recovered from the Maruti Suzuki car and the petitioners were apprehended in the course of escaping from the car.

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 with the vehicle in question. They happen to be labourer and 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 while the driver of the aforesaid car managed to escape leaving the liquor laden car there. Seizure list does not bear the signature of the petitioners. They have no criminal antecedent. They have been languishing in custody since 14.05.2018.

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 Addl. District and Sessions Judge-II cum Special Judge, Excise, Siwan in connection with Guthni P.S. Case No. 117 of 2018.

(Prakash Chandra Jaiswal, J)

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