

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47283 of 2018

Arising Out of PS. Case No.-56 Year-2018 Thana- TEDHAGACHH District- Kishanganj

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1. Chandan Goswami, S/o Late Kamlanand Goswami, R/o Vill-Majhua, P.S. Palasi, Distt-Araria.
 2. Diwesh Kumar, S/o Late Harilal Mandal, R/o Pothia, P.S. Palasi, Distt-Araria.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Kumar

For the Opposite Party/s : Mr. Chandrasen Prasad Singh

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 02-08-2018 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners seek bail in connection with Terhagachh P.S. Case no. 56 of 2018 registered under Sections 30(a), 41(i) of Bihar Excise and Prohibition Act-2016.

36 lts. of Nepali wine is said to have been recovered from motorcycle of the petitioners and petitioners sitting in the said motorcycle 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 by the police merely on suspicion while they were passing through the place of occurrence at the time of occurrence and real culprits managed to escape dumping the aforesaid liquor there seeing the police personnel. They have no criminal antecedent. They have been languishing in custody since 15.06.2018.

In the facts and circumstances of the case, 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 Addl. District & Sessions Judge-II-cum-Special Judge, Excise, Kishanganj in connection with Terhagachh P.S. Case no. 56 of 2018

(Prakash Chandra Jaiswal, J)

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