

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48711 of 2018

Arising Out of PS.Case No. -167 Year- 2018 Thana -BALIA District- BEGUSARAI

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1. Prem Kumar son of Sri Phulena Choudhary resident of Village :
Rehampur, Chaudhary Tolw, P.S. Muffasil, District Khagaria.
 2. Sanjeet Kumar Son of Shri Rajiv Ranjan Choudhary resident of Village
: Sarvodaya Nagar, P.S. Town, District Begusarai.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shree Niwas Singh

For the Opposite Party/s : Mr. Parmanand Prasad

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

2 09-08-2018 Heard learned counsel for the petitioners and
learned APP for the State.

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

12 litres of foreign liquor is said to have been
recovered from the bag kept on the motorcycle 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 liquor. They have been falsely implicated



in the case at the instance of their enemies by planting aforesaid recovery from their possession. There is violation of Section 100 Cr.P.C. They have no criminal antecedent. They have been languishing in custody since 19.06.2018.

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. Sessions Judge-II cum Special Judge, Excise, Begusarai in connection with Ballia P.S. Case No. 167 of 2018.

(Prakash Chandra Jaiswal, J)

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