

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50978 of 2018

Arising Out of PS.Case No. -138 Year- 2018 Thana -GURARU District- GAYA

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1. Pintoo Yadav, S/o Bigan Yadav, Resident of Village- Jabra, P.S.- Hunterganj, District- Chatra (Jharkhand).
 2. Pravesh Yadav, S/o Late Dukhi Yadav, resident of Village- Khuti Kewal, P.S.- Hunterganj, District- Chatra (Jharkhand).

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr./Mrs. Kiran Sinha

For the Opposite Party/s : Mr. Dashrath Mehta

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 20-08-2018 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.

308 litres of country made liquor is said to have been recovered from the Maruti Wagon-R and its driver, namely Tapeshar Yadav was apprehended. Petitioners who are said to have been facilitating the transportation of the aforesaid liquor on the motorcycle, were also 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 either with the seized liquor or with the vehicle in question. They have been falsely implicated in this case by the police merely on suspicion while they were unfortunately passing through the place of occurrence at the time of occurrence on the motorcycle ahead of the aforesaid liquor laden vehicle. They have no criminal antecedent. They have been languishing in custody since 13.07.2018.

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, Gaya in connection with Guraru P.S. Case No. 138 of 2018.

(Prakash Chandra Jaiswal, J)

Kr. Uday/-

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