

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50991 of 2018

Arising Out of PS.Case No. -291 Year- 2018 Thana -GARDANIBAG District- PATNA

- =====
1. Md. Mahiwal, S/o. Asgar, R/o. Chandrapura, P.S.- Chandrapura, District- Bokaro (Jharkhand).
 2. Rocky Alam, A/o. Suhail Alam @ Suhail, R/o. Shinghara, P.S.- Dulhinbazar, District- Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : Mr. Anand Kishore Choudhary

=====

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 petitioner seeks bail in a case registered for the offence punishable under Section 414 of the Indian Penal Code and Section 38(i) (ii) of the Bihar Prohibition and Excise Act, 2016.

19 litres of country made liquor is said to have been recovered from the Tata Sumo parked in the garage of Md. Nawab and petitioners were apprehended from the said garage.

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. The aforesaid liquor was seized from the Tata Sumo vehicle which was brought in the garage of Md. Nawab by Prem Pushkar for its repair and they had no knowledge of keeping of the said liquor in the said vehicle. Petitioners happen to be mechanic in the said garage and have been falsely implicated in this case by the police at the instance of their enemies. They have no criminal antecedent. They have been languishing in custody since 22.07.2018.

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 Act, Patna in connection with Gardanibag P.S. Case No. 291 of 2018.

(Prakash Chandra Jaiswal, J)

Kr. Uday/-

U		T	
---	--	---	--

