

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.418 of 2018

Arising Out of PS.Case No. -533 Year- 2017 Thana -ARA NAGAR District- BHOJPUR

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1. Imran Khan,
2. Sohel Khan, Both are S/o Allauddin Khan, Resident of Muhalla- Dudh Kattora, P.S.- Ara Town, Dist- Bhojpur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajani Ranjan Pd. Singh
For the Opposite Party/s : Smt. Reena Sinha

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

3 24-01-2018 Heard learned counsel for the petitioners and learned APP for the State.

The petitioners seek bail in connection with Excise case no. 5540 of 2017 arising out of Ara Town P.S. Case No. 533 of 2017 registered under Section 30(a) of Bihar Excise Amendment Act.

198.00 lts. of foreign liquor is said to have been recovered from the house of Musaa Yadav and said Mussa Yadav divulged that he had purchased the said liquor from the petitioners.

It is submitted by learned counsel for the petitioners that no incriminating article has been recovered from their



conscious physical possession. They have neither any concern with the accused Mussa Yadav nor with the seized liquor. They have no criminal antecedent. They have been made accused only on the basis of statement of co-accused given before the police which has no evidentiary value in the eye of law. They have been languishing in custody since 30.10.2017.

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 A.D.J.-IV (Special Court) Ara, Bhojpur in connection with Excise case no. 5540 of 2017 arising out of Ara Town P.S. Case No. 533 of 2017.

(Prakash Chandra Jaiswal, J)

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