

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29220 of 2018

Arising Out of PS.Case No. -42 Year- 2018 Thana -LAUKHI District- MADHUBANI

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1. Bechan Kumar, S/o Jugeshwar Ram, R/o Vill.- Purani Bazar Laukahi,
P.S.- Laukahi, District- Madhubani.
2. Md. Akbar S/o Md. Ishak, R/o Vill.- Bontol Kariyaut, P.S.- Laukahi,
District- Madhubani. Petitioners.

Versus

1. The State of Bihar Opposite Party.

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha

For the Opposite Party/s : Mr. Ram Bachan Singh

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

04 27-06-2018 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 Sections 272 & 273/34 of the Indian Penal Code and Section 30 (a) and 38 of the Bihar Prohibition and Excise Act, 2016.

720 liters of Nepali wine is said to have been recovered from the Bolero pickup van and 180 liters of Nepali wine is said to have been recovered from the Bolero SLX and three persons sitting in the aforesaid vehicles 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 had no knowledge of carrying the aforesaid



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liquor in the cartons wrapped in the jute bags by their owners who managed to escape seeing the police party. They have been falsely implicated in this case at the instance of their enemy. Similarly situated three other accused persons, namely, Anil Kumar Yadav, Raj Narain Yadav and Om Prakash Yadav have been enlarged on bail by this Court in Cr. Misc. No.26852 of 2018 vide order dated 03.05.2018. They have no criminal antecedent and have been languishing in custody since 18.03.2018.

In the facts and circumstances of the case, 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 Additional District and Sessions Judge-cum-Special Judge Excise Act, Madhubani in connection with Laukahi P.S. Case No.42 of 2018 (G.R. No.328/18).

(Prakash Chandra Jaiswal, J)

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