

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2540 of 2018

Arising Out of PS.Case No. -273 Year- 2017 Thana -DESARI District- VAISHALI(HAJIPUR)

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1. Santosh Kumar @ Tota, S/o Nathuni Rai, R/o Village- Naya Ganj,
Sonartoli, P.S.- Desari, District- Vaishali.
2. Nand Kishore Kumar @ Katta @ Nand Kishore @ Katto S/o Madan
Choudhary, R/o Village- Sultanpur, P.S.- Desari, District- Vaishali.
..... Petitioners.

Versus

1. The State of Bihar Opposite Party.
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Appearance :

For the Petitioner/s : Mrs. Anita Kumari Singh

For the Opposite Party/s : Smt. Sucheta Yadav
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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**
ORAL ORDER

02 23-01-2018 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners seek bail in Desari P.S. Case No. 273
of 2017 registered under Section 30 (a) of the Bihar Prohibition
and Excise Act, 2016.

As per the prosecution case, three persons are said to
have arrived at the house of Devendra Paswan for taking delivery
of the liquor and 10 liters of country made liquor was recovered
from the possession of petitioner no.2 Nand Kishore Kumar.

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 been
falsely implicated in this case. They have no concern either with



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the Devendra Paswan or with the seized liquor. They have no criminal antecedent. The petitioners have been languishing in custody since 17.11.2017. Co-accused Devendra Paswan has been granted bail by a coordinate Bench of this Court in Cr. Misc. No.394 of 2018 vide order dated 18.01.2018. .

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 A.D.J.-II-cum-Special Judge Excise Act, Vaishali at Hajipur in connection with Desari P.S. Case No.273 of 2017.

(Prakash Chandra Jaiswal, J)

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