

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41935 of 2018

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1. Dharmendra Kumar, S/o Tunni Choudahry @ Tunnu Choudhary,
 2. Rajdeo Choudhary S/o Ram Sevak Choudhary, Both R/o Vill.- Beldari Tola, P.S.- Gaurichak, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Singh
For the Opposite Party/s : Mr. Bharat Bhushan

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

4 14-08-2018 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners seek bail in connection with P.R. P.S. Case no. 24 of 2018 giving rise to Special Case no. 4646 of 2018 registered under Sections 30(a) of Bihar Excise and Prohibition Act-2016.

80 lts. of mix toddy is said to have been recovered from possession of the petitioners in the course of unloading from the tempo.

It is submitted by learned counsel for the petitioners that no incriminating article has been recovered from conscious physical possession of the petitioners. They have no concern either with the seized toddy or with the tempo in question. They



have been falsely implicated in this case by the personnel of Excise Department merely on suspicion while they were passing through the place of occurrence at the time of occurrence and real culprits managed to escape dumping the aforesaid toddy laden tempo there seeing them. They have no criminal antecedent. They have been languishing in custody since 15.05.2018.

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 Special Judge, Excise, Patna (district-Patna) in connection with P.R. P.S. Case no. 24 of 2018 giving rise to Special Case no. 4646 of 2018.

(Prakash Chandra Jaiswal, J)

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