

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29352 of 2018

Arising Out of PS.Case No. -388 Year- 2017 Thana -MINAPUR District- MUZAFFARPUR

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1. Rahul Kumar, S/o Lalbabu Singh,
2. Vikki Kumar @ Vicky Kumar S/o Manoj Singh, Both are R/o Vill.-
Piprahan, P.S.- Minapur (Panapur O.P.), District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar

For the Opposite Party/s : Mr. Shailendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

03 19-06-2018

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 Sections 30 (a), 37 (a), 36, 48, and 52 of the Bihar Prohibition and Excise Act, 2016.

573 liters of foreign liquor is said to have been recovered from the hut of the petitioner no.1-Rahul Kumar stocked there by the petitioners who managed to escape seeing the police party.

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 the place of recovery. They have been falsely implicated in this case at the instance of their enemies. They were not apprehended on the spot. Though two more criminal cases are pending against the petitioner no.2 and one case is pending against the petitioner no.1 but they are on bail in the aforesaid cases. They have been languishing in custody since 07.04.2018.

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 Special Judge Excise, Muzaffarpur in connection with Minapur P.S. Case No.388 of 2017.

(Prakash Chandra Jaiswal, J)

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