

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41694 of 2018

Arising Out of PS.Case No. -296 Year- 2018 Thana -SHERGHATI District- GAYA

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1. Guddu Kumar @ Guddu, Son of Kuleshwar Yadav, resident of Village- Makhdumpur, Police Station- Gurua, District- Gaya.
 2. Santosh Kumar, Son of Chowa Yadav, Resident of Village- Pathalcatti, Police Station- Sherghatti, District- Gaya.

.... Petitioners.

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No-2, Advocate

For the Opposite Party/s : Smt Pushpa Sinha, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

2 12-07-2018 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 and 414 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

60 liters of country made liquor is said to have been recovered from the Santro Car and four accused persons including the petitioners 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 either with the seized liquor or the vehicle in question. They have been



falsely implicated in the case at the instance of their enemies. They were simple commuters and were travelling by the said vehicle without knowing keeping of the liquor in it. Similarly situated co-accused, namely, Mahesh Kumar & another and Rajesh Kumar have been enlarged on bail by a co-ordinate bench of this court vide order dated 06.07.2018 and 09.07.2018 passed in Cr. Misc. Nos. 40038 of 2018 and 39345 of 2018. They have no criminal antecedent and have been languishing in custody since 01.06.2018.

Considering the facts aforesaid, 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, Gaya in connection with Sherghati (Dobhi) P.S. Case No. 296 of 2018.

(Prakash Chandra Jaiswal, J)

Trivedi/Sanjeev

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