

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46542 of 2018

Arising Out of PS.Case No. -357 Year- 2018 Thana -SHERGHATI District- GAYA

- =====
1. Kamta Kumar, Son of Ishwari Prasad, resident of village – Simaru
 2. Yogendra Yadav, Son of Jageshwar Yadav, resident of village – Kamaldhara, both Police Station – Gurua, District-Gaya.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Binod Kumar

For the Opposite Party/s : Dr. Ajeet Kumar

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

2 31-07-2018 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 and 273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

18 litres of country made liquor is said to have been recovered from three bags kept on the motorcycle and the petitioners sitting on the said motorcycle 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 have been falsely implicated



in the case by the police at the instance of their enemies by planting aforesaid recovery from their possession. There is violation of Section 100 Cr.P.C. They have no criminal antecedent. They have been languishing in custody since 29.06.2018.

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 P.S. Case No. 357 of 2018.

(Prakash Chandra Jaiswal, J)

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