

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50392 of 2018

Arising Out of PS.Case No. -51 Year- 2018 Thana -NAWAKOTHI District- BEGUSARAI

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Munna Mahto, S/o. Nepali Mahto, R/o. Village- Pahsara, P.S.- Naokothi,
District- Begusarai. Petitioner/s

Versus

The State of Bihar Opposite Party/s

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with

Criminal Miscellaneous No.50594 of 2018

Arising Out of PS.Case No. -51 Year- 2018 Thana -NAWAKOTHI District- BEGUSARAI

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Ramesh Singh, S/o. late Ram Bahadur Singh, R/o. Village- Pahsara, P.S.-
Nawkothe, District- Begusarai. Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :

(In Cr.Misc. No.50392 of 2018)

For the Petitioner/s : Mr. Jai Prakash Singh

For the Opposite Party/s : Mr. S.M. Rahman

(In Cr.Misc. No.50594 of 2018)

For the Petitioner/s : Mr. Dipak Kumar

For the Opposite Party/s : Mr. Pawan Kumar Chaurasiya

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 16-08-2018 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 Section 30(a) of the Bihar Prohibition



and Excise Act, 2016.

8.640 litres of foreign liquor is said to have been recovered from possession of petitioner Munna Mahto and as per his account he had purchased the aforesaid liquor from Ramesh Singh. At the disclosure of the petitioner Munna Mahto 58 liters of foreign liquor is said to have been recovered from the house of the petitioner Ramesh Singh and he was 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 any trade of liquor. It is further submitted that the petitioner Munna Mahto has been falsely implicated in the case at the instance of his enemies by planting aforesaid recovery from his possession. He has not made any disclosure. On the basis of his disclosure, no incriminating article has been recovered from the house of the petitioner Ramesh Singh. The house of the petitioner Ramesh Singh is inhabited by his several family members and he had no knowledge of keeping of the said liquor in the house. They have no criminal antecedent. They have been languishing in custody since 05.06.2018.

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 A.D.J.-II, Begusarai cum Special Judge in connection with Naokothi P.S. Case No. 51 of 2018 (G.R. No. 2249 of 2018).

(Prakash Chandra Jaiswal, J)

Kr. Uday/-

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