

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52377 of 2018

Arising Out of PS.Case No. -142 Year- 2018 Thana -MIRGANJ District- GOPALGANJ

- =====
1. Amit Kumar Singh, S/o Wakil Singh,
 2. Sujeet Kumar S/o Lal Kishore @ Dal Kishore Sah, Both R/o Vill.-
Chand Parsa, P.S.- Kesharia, District- East Champaran at Motihari.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satyendra Rai

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

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 27-08-2018 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 Sections 272 and 273 of the Indian Penal
Code and Section 30(a) of the Bihar Prohibition and Excise Act,
2016.

892.500 litres of foreign liquor is said to have been
recovered from the truck and petitioners were apprehended in the
course of escaping from the truck and another accused, namely,
Vijay Kumar Yadav managed to escape.

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 with the truck in question or any trade of liquor. They have been falsely implicated in this case by the police merely on suspicion while they were passing through the place of occurrence after seeing their ailing sister at the time of occurrence while the real culprit managed to escape leaving liquor laden truck there seeing the police personnel. They have been falsely implicated in the case. They have no criminal antecedent. They have been languishing in custody since 25.05.2018. The charge-sheet in the case has already been submitted. Co-accused, namely, Vijay Kumar Yadav has been enlarged on bail by a co-ordinate bench of this court vide order dated 07.08.2018 passed in Cr. Misc. No. 47905 of 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 Additional District and Sessions Judge-2nd cum Special Judge, Excise, Gopalganj in connection with Mirganj P.S. Case No. 142 of 2018.

(Prakash Chandra Jaiswal, J)

Kr. Uday/-

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