

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52640 of 2018

Arising Out of PS.Case No. -192 Year- 2018 Thana -BAUSI District- PURNIA

- =====
1. Ashwani Kumar, son of Kailash Singh.
 2. Vikash Kumar, Son of Pramod Singh
- Both residents of village – Simariya, Ward No. 5, P.S.-Barauni, District – Begusarai.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam

For the Opposite Party/s : Mr. Chandrasen Prasad 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.

Petitioners seek bail in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

38.160 litres of foreign liquor is said to have been recovered from 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 merely on suspicion while they were



passing through the place of occurrence at the time of occurrence and real culprit managed to escape dumping the aforesaid liquor there seeing the police personnel. They have no criminal antecedent. They have been languishing in custody since 23.07.2018.

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 Addl. Sessions Judge-II cum Special Judge, Excise, Purnea in connection with Special Excise Case No. 692 of 2018 arising out of Baisi P.S. Case No. 192 of 2018.

(Prakash Chandra Jaiswal, J)

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