

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25639 of 2018

Arising Out of PS.Case No. -85 Year- 2018 Thana -MANIHARI District- MUZAFFARPUR

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1. Jay Mangal Kumar, Son of Late Chandradeo Rai, Resident of Village- Chakmehasi, P.S.- Maniyari, District- Muzaffarpur.
 2. Md. Gulab Nabi @ Gulab, Son of Late Md. Usman, Resident of Village Sherpur, P.S.- Sadar, District- Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Hari Kishore Thakur

For the Opposite Party/s : Mr. Vinod Shankar Modi

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

5 03-07-2018 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 41 of the Bihar Prohibition and Excise Act, 2016.

266.444 litres of foreign liquor is said to have been recovered from the Tata Sumo Victa car and the petitioners were apprehended in the course of escaping from the aforesaid car.

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 vehicle in question. They have been falsely implicated in the case merely on suspicion while they were regressing to their house after watching night show while real culprit managed to escape leaving the aforesaid liquor laden car there seeing the police party. Petitioners have no criminal antecedent. They have been languishing in custody since 04.04.2018.

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 Act, Muzaffarpur in connection with Maniyari P.S. Case No. 85 of 2018.

(Prakash Chandra Jaiswal, J)

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