

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41391 of 2018

Arising Out of PS.Case No. -278 Year- 2018 Thana -PURNEA SADAR District- PURNIA

- =====
1. Ganesh Choudhary, Son of Shankar Choudhary
 2. Mahesh Choudhary, Son of Shankar Choudhary
- Both residents of village – Barsoni Kumhar Toli, P.S.-Sadar, District-
Purnea.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Ram Prawesh Kumar

For the Opposite Party/s : Dr.Mrityunjaya Kr.Gautam

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**
ORAL ORDER

2 11-07-2018 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.

8.970 litres of foreign liquor is said to have been
recovered from the place adjacent to the hut of the petitioners and
the petitioners were apprehended in the course of escaping from
the aforesaid place.

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 place of recovery.



They have been falsely implicated in the case by the police at the instance of their enemies. Though two more cases have been lodged against petitioner no.1 and one case against petitioner no.2, but they are on bail in the aforesaid cases. They have been languishing in custody since 04.06.2018.

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 2nd Addl. Sessions Judge cum Special Judge, Excise, Purnea in connection with Sadar P.S. Case No. 278 of 2018, Special Case No. 543 of 2018.

(Prakash Chandra Jaiswal, J)

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