

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42132 of 2018

- =====
1. Chandan Kumar @ Chandan Kumar Prasad, son of late Lalan prasad @ Lalan sah
 2. Ajay Kumar Pasi @ Ajay Kumar, son of late Harendra Choudhary, both 1 and 2 residents of village - Gopalpur, P.S. Hussainganj, District - Siwan.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary

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

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

02 13-07-2018 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 30 (a) and 36 of the Bihar Prohibition and Excise Act, 2016.

15.760 liters foreign liquor is said to have been recovered from the Sahan of the house of the petitioner no.2-Ajay Kumar Pasi @ Ajay Kumar and the petitioners 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 this case at the instance of their enemy by planting the aforesaid recovery.



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Though two more cases under the Excise Act have been lodged against the petitioner no.1 but he is on bail in the said cases while petitioner no.2 has no criminal antecedent. They have been languishing in custody since 07.06.2018.

In the facts and circumstances of the case, 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 Sessions Judge 2nd-cum-Special Judge Excise, Siwan in connection with Hussainganj P.S. Case No. 162 of 2018.

(Prakash Chandra Jaiswal, J)

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