

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21908 of 2018

Arising Out of PS.Case No. -46 Year- 2018 Thana -DHAKA District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Bipin Mukhiya, S/o Late Bhadai Mukhia, R/o Village- Bakhari Kharuri, P.S.- Dhaka, District- East Champaran.
 2. Ram Babu Sah, S/o Brijnandan Sah, R/o Village- Jatwalia, P.S.- Kudwachainpur, District- East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance:

For the Petitioner/s : Mr. Ajay Kumar Singh, Advocate.

For the Opposite Party/s : Smt. Anita Kumari Singh, APP.

=====

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

2 17-04-2018 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners seek bail in Dhaka P.S. Case No. 46 of 2018 registered under Section 413 of the Indian Penal Code and Sections 30(a) and 37(b) of the Bihar Prohibition and Excise Act, 2016.

78 litres of Nepali wine is said to have been recovered from the motorcycle of the petitioners 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 the case by the police at the instance of their enemies by planting aforesaid recovery from their possession. They have been languishing in custody since 24.02.2018.

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 4th Additional Sessions Judge cum Special Judge, Excise, East Champaran at Motihari in connection with Dhaka P.S. Case No. 46 of 2018.

(Prakash Chandra Jaiswal, J)

Mishra/-

U		T	
---	--	---	--

