

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25141 of 2018

Arising Out of PS.Case No. -43 Year- 2018 Thana -DUMRIAGHAT District-
EASTCHAMPARAN(MOTIHARI)

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1. Vinod Chaudhry @ Binod Chaudhry Son of Kishan Chaudhary, Resident of Village-Basaha, P.S.-Babubarhi, District-Madhubani,
2. Om Prakash Chaudhry @ Chamaklall Chaudhry Son of Late Devnarain Chaudhry @ Jagnarain Chaudhary, Resident of Village-Lalaniya, P.S.-Lalaniya, District-Madhubani. Petitioners.

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Adv.
Mr. Abhishek Kumar @ Sonu, Adv.
For the Opposite Party/s : Mr. Manoj Kumar -1, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

02 01-05-2018

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, 273, 420, 467, 468 & 471/34 of the Indian Penal Code and Section 30 (a) of the Bihar Prohibition and Excise Act, 2016.

151.28 liters of foreign liquor is said to have been recovered from the Maruti Suzuki car and its driver, namely, Vinod Chaudhary @ Binod Chaudhary (petitioner no.1) and commuter Om Prakash Chaudhary @ Chamaklall Chaudhary (petitioner no.2) 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 had no knowledge of keeping the aforesaid liquor in the dicky of the car by its owner. They have been falsely implicated in this case at the instance of their enemy. They have no criminal antecedent and have been languishing in custody since 13.03.2018.

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 4th Additional Sessions Judge-cum-Special Judge Excise, East Champaran at Motihari in connection with Dumariyaghat P.S. Case No.43 of 2018.

(Prakash Chandra Jaiswal, J.)

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