

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31518 of 2018

Arising Out of PS.Case No. -22 Year- 2018 Thana -MEHANDIA District- JEHANABAD

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1. Butai Sharma @ Debender Sharma, S/o Naresh Sharma, R/o Vill.-
Ushari, P.S.- Mahendia, District- Arwal.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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WITH

Criminal Miscellaneous No.31634 of 2018

Arising Out of PS. Case No. -22 Year- 2018 Thana -MEHANDIA District- JEHANABAD

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1. Pappu Kumar @ Rakesh @ Rajesh, Son of Ram Ekbal Sharma Resident
of Village- Usaridih, Police Station- Mahendia, District- Arwal.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

(In Cr.Misc. No.31518 of 2018)

For the Petitioner/s : Mr. Manish Kumar No-2

For the Opposite Party/s : Smt. Veena Kumari Jaiswal

(In Cr.Misc. No.31634 of 2018)

For the Petitioner/s : Mr. Manish Kumar No-2

For the Opposite Party/s : Smt. Veena Kumari Jaiswal

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

ORAL ORDER

02 24-05-2018

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 Section 30(a) of the Bihar Prohibition
and Excise Act, 2016.

18 liters of foreign made liquor is said to have been
recovered from the tempo of the petitioner Butai Sharma @



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Debender Sharma and 3 liters of foreign liquor is said to have been recovered from the motorcycle of the petitioner Pappu Kumar @ Rakesh @ Rajesh.

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. It is further submitted by learned counsel for the petitioner-Butai Sharma @ Debender Sharma that he happens to be driver of the said tempo and had no knowledge of carrying of the said liquor in the bag by its commuter who managed to escape seeing the police party leaving the bag in the tempo. It is submitted by learned counsel for the petitioner Pappu Kumar @ Rakesh @ Rajesh that he has been falsely implicated in this case at the instance of his enemy by planting the aforesaid recovery from his possession. Petitioner Pappu Kumar @ Rakesh @ Rajesh has no criminal antecedent, while against petitioner Butai Sharma @ Debender Sharma one more criminal case has been lodged in which he is on bail. They have been languishing in custody since 04.05.2018.

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



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like amount each to the satisfaction of the learned Additional Sessions Judge-II, Jehanabad in connection with Excise Case No. 439 of 2018 arising out of Mahendia P.S. Case No. 22 of 2018.

(Prakash Chandra Jaiswal, J)

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