

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42493 of 2018

Arising Out of PS.Case No. -52 Year- 2018 Thana -CHAKAND District- GAYA

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1. Titu Singh, Son of Sankar Singh, resident of village – Parori, Police Station – Vijaygarh, District – Aligarh (Uttar Pradesh).
 2. Tofan Singh, Son of Kujot Singh, resident of village – Baghi, Police Station – Mandavari. District-Dosa (Rajasthan).

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

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

For the Opposite Party/s : Smt. Nirmala Kumari

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

2 16-07-2018 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 Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

358.125 litres of foreign liquor is said to have been recovered from the gumti and field of Kishori Sao and his son Dhananjay Sao and at the disclosure of the petitioners, who were apprehended from the Bolero and who are said to have brought the said liquor there.

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 vehicle in question or with the place of recovery. They have been falsely implicated in the case by the police merely on suspicion while they were passing through the place of occurrence at the time of occurrence. Seizure list does not bear the signature of the petitioners. There is violation of Section 100 Cr.P.C. petitioners have no criminal antecedent. They have been languishing in custody since 21.05.2018.

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 like amount each to the satisfaction of the learned Special Judge, Excise, Gaya in connection with Chakand P.S. Case No. 52 of 2018.

(Prakash Chandra Jaiswal, J)

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