

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54211 of 2018

Arising Out of PS.Case No. -335 Year- 2018 Thana -FATUA District- PATNA

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1. Anand Kumar, S/o Raj Kishor Mahto,
2. Devanti Devi W/o Late Rabindra Mahto, Both R/o Vill.- Govindpur,
P.S.- Fatuah, District- Patna.

.... Petitioners.

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Shankar Sinha

For the Opposite Party/s : Smt. Anita Kumari

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

02 31-08-2018 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), 37(b) of the Bihar
Prohibition and Excise Act, 2016.

34 liters of country made liquor is said to have been
recovered from the room which is said to be of the petitioners and
petitioners and three other accused persons 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 either
with the seized liquor or the place of recovery. They have been
falsely implicated in this case at the instance of their enemy. There



is violation of Section 100 Cr.P.C. Petitioner no.2 happens to be lady. They have no criminal antecedent and have been languishing in custody since 06.06.2018.

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 Special Judge Excise, Patna in connection with Special Case No. 5221 of 2018, Fatuah P.S. Case No. 335 of 2018.

(Prakash Chandra Jaiswal, J)

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