

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53756 of 2018

Arising Out of PS.Case No. -361 Year- 2018 Thana -JAKKANPUR District- PATNA

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1. Raj Kishor Rai, Son of Lal Babu Rai,
2. Manish Kumar, Son of Lal Babu Rai, Both resident of Mohalla-
Bighrapur, P.S.- Jakkanpur, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Sinha
For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

2 30-08-2018 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), 38 and 41 of the Bihar Prohibition and Excise Act, 2016.

21.750 liters of foreign liquor is said to have been recovered from the house 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 this case at



the instance of their enemies. There is violation of Section 100 Cr.P.C. The house of the petitioners is inhabited by their several family members and they had no knowledge of keeping of the said liquor in the house. They have no criminal antecedent and have been languishing in custody since 05.08.2018.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge Excise Act, Patna in connection with Special Case No.7222 of 2018 arising out of Jakkanpur P.S. Case No. 361 of 2018.

(Prakash Chandra Jaiswal, J)

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