

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.41662 of 2018**

- =====
1. Chotu Singh @ Chotu Kumar Singh, Son of Kaushal Narayan Singh, resident of Village- Gandhi Path Ward No. 2, P.S. + District- Saharsa.
  2. Deepak Kumar, Son of Shyam Sundar, Fatehpuria, Gandhi Path, Ward No. 8, P.S. + District- Saharsa.

.... .... Petitioners.

Versus

1. The State of Bihar.

.... .... Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr. Shiva Shankar Sharma, Advcoate  
For the Opposite Party/s : Mr. Matloob Rab, A.P.P.

=====

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

2      12-07-2018      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), 38(i) and 41(i) of the Bihar Prohibition and Excise Act, 2016.

7.200 liters of foreign liquor is said to have been recovered from the joint possession of the petitioners and they 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 the case at the instance of their enemies by planting the aforesaid recovery



from their possession. They have no criminal antecedent and have been languishing in custody since 22.05.2018.

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 Act, Saharsa in connection with Special (Excise) Case No. 298 of 2018 arising out of Saharsa Sadar P.S. Case No. 613 of 2018.

**(Prakash Chandra Jaiswal, J)**

Trivedi/Sanjeev

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

