

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47403 of 2018

Arising Out of PS.Case No. -342 Year- 2018 Thana -ARA NAGAR District- BHOJPUR

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1. Arun Sah, Son of Basropan Sahu @ Mangaru Sah,
2. Srikant Mahato, Son of Late Mohan Mahto, Both resident of Village-
Sowan, Police Station- Krishna Brahm, District- Buxar.

.... Petitioners

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar Pandey

For the Opposite Party/s : Mr. Shantanu Kumar (APP)

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 03-08-2018 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 Section 30 (a) of the Bihar Prohibition and Excise Act, 2016.

14.400 liters of foreign liquor is said to have been recovered from the motorcycle of the petitioners and petitioners sitting on the said motorcycle 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 by planting the aforesaid recovery from their possession. There is violation of Section 100 Cr.P.C. Petitioner no. 2 has no criminal antecedent while one criminal case has been lodged against the petitioner no. 1 but he is on bail in the said case. They have been languishing in custody since 20.06.2018.

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 Act, Bhojpur at Ara in connection with Excise Case No. 993 of 2018 arising out of Ara Town P.S. Case No. 342 of 2018.

(Prakash Chandra Jaiswal, J)

Kr. Uday/-

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