

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52312 of 2018

Arising Out of PS.Case No. -178 Year- 2018 Thana -NOORSARAI District- NALANDA
(BIHARSHARIFF)

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1.Rahul Kumar, son of Sri Shravan Kumar, resident of Village-
Mahaddipur, P.S.- Nagarnausa, District- Nalanda.

2.Gautam Kumar son of Late Sanjay Prasad, resident of village- Shahpur,
P.S.- Nagarnausa, District- Nalanda. Petitioners.

Versus

The State of Bihar. Opposite Party.

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Appearance :

For the Petitioner/s : Mr. Rajeev Kumar

For the Opposite Party/s : Mr. Vinod Shankar Modi

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL

ORAL ORDER

2 25-08-2018 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.

36 liters of country made liquor is said to have been
recovered from the Bolero vehicle and petitioners were
apprehended in course of escaping from the said vehicle.

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 vehicle in question. They have been
falsely implicated in this case by the police merely on suspicion



while they were passing through the place of occurrence at the time of occurrence and the real culprit managed to escape dumping the aforesaid liquor laden vehicle there seeing the police party. He has no criminal antecedent and has been languishing in custody since 23.07.2018.

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 Additional District and Sessions Judge-VI-cum-Special Judge Excise Act, Nalanda, Bihar Sharif in connection with Noorsarai P.S. Case No. 178 of 2018.

(Prakash Chandra Jaiswal, J)

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