

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45437 of 2018

Arising Out of PS.Case No. -163 Year- 2018 Thana -PATNA RAIL P.S. District- PATNA

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1. Suraj Kumar Son of Rameshwar Yadav
2. Shankar Kumar Son of Binod Choudhary Both are Resident of Village-
Gumati Amarpur, P.S. Mehandiganj, District- Patna.

.... Petitioners.

Versus

The State of Bihar

.... Opposite Party.

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Appearance :

For the Petitioners : Mr. Ajay Kr Singh, Adv.

For the Opposite Party : Mr. Anil Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 26-07-2018 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 Sections 30 (a) of the Bihar Prohibition and Excise Act, 2016 and 273/34 of Indian Penal Code.

17.640 liters of foreign liquor is said to have been recovered from the bag of the petitioner no.1-Suraj Kumar and 15 liters of foreign liquor from the bag of the petitioner no.2-Shankar Kumar.

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 enemy by planting the aforesaid recovery



from their possession. They have no criminal antecedent and have been languishing in custody since 28.05.2018.

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 Rail Patna Junction P.S. Case No. 163 of 2018, Special Case No.4980 of 2018.

(Prakash Chandra Jaiswal, J)

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