

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83635 of 2019

Arising Out of PS. Case No.-739 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Gaya

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1. AKASH KUMAR, Son of Mahendra Yadav, Resident of Village - Fulwari Alampur, P.S.- Fulwari Sharif, Distt - Patna.
 2. Mukesh Kumar Son of Supan Roy Resident of Mohalla - Shastri Nagar Anandgaw, P.S.- Shastri Nagar, Distt - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravindra Kumar Sinha

For the Opposite Party/s : Mr.Tapeshwar Sharma

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 17-12-2019 Heard learned counsel for the petitioners and
learned APP for the State.

Petitioners seek bail in a case registered for the
offence punishable under Section 30(a) of the Bihar Prohibition
and Excise Act, 2016.

55.5 litres of foreign liquor is said to have been
recovered from the Ambassador car and 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 either with the seized liquor or car in question. They



have been falsely implicated in the case by the personnel of Excise Department merely on suspicion while they were passing through the place of occurrence at the time of occurrence and real culprit managed to escape parking the car there seeing the personnel of Excise department. There is violation of Section 100 Cr.P.C. They have no criminal antecedent and have been languishing in custody since 18.11.2019.

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, Gaya in connection with Excise P.S. Case No. 739 of 2019.

(Prakash Chandra Jaiswal, J)

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