

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8297 of 2018

Arising Out of PS.Case No. -201 Year- 2017 Thana -DAGARUA District- PURNIA

1. Raja, son of Ramjan Ali, Resident of Village- Majhiya Munsitola, P.S.- Sadar Kishanganj, District- Kishanganj.

2. Anand Paswan @ Anand, son of Jharilal Paswan, Resident of Village- Khagra Paswan Tola, P.S.- Sadar Korha, District- Kishanganj.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Singh

For the Opposite Party/s : Mr. Abhay Kumar Roy

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

02 16-02-2018

Heard learned counsel for the petitioners and

learned APP for the State.

Petitioners seek bail in Dagarwa P.S. Case No. 201 of 2017, corresponding to Spl. Excise Case No.3009/2017, registered under Section 273 of the Indian Penal Code and Section 30 (a) of the Bihar Prohibition and Excise Act, 2016.

126 liters of country made liquor is said to have been recovered from the Belero vehicle and petitioner no.1 who happens to be driver of the said vehicle and petitioner no.2 who happens to be its commuter 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 been falsely implicated in this case. Petitioner no.1 was driving the said vehicle without knowing the contents of the cartoon loaded on the vehicle and petitioner no.2 was given lift by petitioner no.1 in the said vehicle. They have no concern with the seized liquor. They have no criminal antecedent. They have been languishing in custody since 09.12.2017.

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 3rd Additional Sessions Judge-cum-Special Judge Excise, Purnea in connection with Dagarwa P.S. Case No. 201 of 2017, corresponding to Special Excise Case No.3009 of 2017.

(Prakash Chandra Jaiswal, J)

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