

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3054 of 2018

Arising Out of PS.Case No. -236 Year- 2017 Thana -SIMRI District- BUXAR

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1. Bimlesh Kumar Rai (driver) Son of Bhola rai, Resident of Village-Sikandarpur, P.S. Sikandarpur, District-Ballia (U.P.)
 2. Abhishek Pandey Son of Prem Shankar Pandey, Resident of Village-Sahatwar, P.S. Ballia, District-Ballia (U.P.),
 3. Arjun Tiwari, Son of Bijendra Tiwari, Resident of Village-Jirabastti, P.S. Shackhpura, District-Ballia (U.P.).

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Roy

For the Opposite Party/s : Mr. Sri Bhanu Pratap Singh

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

2 30-01-2018 Heard learned counsels for the petitioner and the State.

The petitioners, already in custody, seek bail in connection with Simri P.S.Case No. 236 of 2017 registered under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Allegation in brief is that from the driver's cabin of the truck, in total 2056 litres of foreign liquor was recovered, three persons were apprehended and one person escaped away.

Learned counsel for the petitioners submits that liquor was of one Prashant Singh, who had escaped away and he has been admitted to anticipatory bail and petitioners no. 2 and 3 had taken lift in the truck and have no concerned.

However, learned counsel for the State submits that



recovery is made from cabin of the driver in concealed manner.

Having considered the aforesaid facts and circumstances, the petitioners no. 2 and 3, namely, Abhishek Pandey and Arjun Tiwari, are directed to be released on bail upon furnishing bail bond of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of the learned Addl. District and Sessions Judge 2nd cum Special Judge, Excise, Buxar in connection with Simri P.S.Case No. 236 of 2017 G.R. No. 2771 of 2017.

So far as petitioner no. 1 being driver is concerned, his prayer for bail is rejected for the present. However, he will have liberty to renew his prayer for bail after three months.

(Arun Kumar, J)

Sujit/-

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