

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7397 of 2018

Arising Out of PS. Case No.-368 Year-2017 Thana- NABINAGAR District- Aurangabad

1. Dhiraj Kumar, S/o Shri Balak Singh,
2. Murlidhar Yadav S/o Shri Bijay Kumar Yadav, Both R/o village-
Barhmaul, P.O.- Sirsi, P.S.- Nanpur, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amrit Abhijat

For the Opposite Party/s : Mr. Parmeshwar Mehta

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

ORAL ORDER

2 13-02-2018 Heard learned counsel for the petitioners and learned APP
for the State.

The petitioners seek bail in connection with Nabinagar P.S.
Case no. 368 of 2017 registered under Sections 30(a)/38 of
Bihar Prohibition & Excise Act-2016.

57.75 lts. of foreign liquor and 10 lts. of country made
liquor is said to have been recovered from pick-up van and its
driver namely, Rajesh Kumar Mishra and two other persons
(petitioners) sitting in the vehicle were apprehended.

It is submitted by learned counsel for the petitioners that no
incriminating article has been recovered from their conscious
physical possession. Petitioners happen to be commuter of the
said vehicle and had no knowledge of hiding the said liquor in



the vehicle. No case under Excise Act has been lodged against the petitioners barring the case under hand. The petitioners have been languishing in custody since 21.12.2017.

Considering the facts and circumstances of the case, the above named petitioners are directed to be enlarged on bail on bail on furnishing bail bonds of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of learned Addl. Sessions Judge-VII-cum-Special Judge (Excise), Aurangabad in connection with Nabinagar P.S. Case no. 368 of 2017.

(Prakash Chandra Jaiswal, J)

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