

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7104 of 2018

Arising Out of PS.Case No. -241 Year- 2017 Thana -SARAI District- VAISHALI(HAJIPUR)

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1. Amresh Kumar, Son of Harikant Singh, Resident of Village- Mathna Mall, P.S.- Goraul, O.P. (Kathara), District- Vaishali.
2. Dinesh Kumar, Son of Bindeshwar Kumar Resident of Village- Mathna Mall, P.S.- Goraul, O.P. (Kathara), District- Vaishali.
3. Doman Bhagat, son of Ganga Bhagat, Resident of Village- Mathana Mall, P.S.- Goraul, O.P. (Kathara), District- Vaishali.

.... Petitioners

Versus

1. The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Barun Kumar Choudhary

For the Opposite Party/s : Mr. Akshay Lal Pandit

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

2 12-02-2018 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners seek bail in connection with Sarai P.S.
Case No.241/2017 registered under Sections 414, 120B of Indian
Penal Code and Sections 30(a) and 35(a) of Bihar Prohibition and
Excise Act, 2016.

18 liters of foreign liquor is said to have been recovered
from Scorpio vehicle and its driver namely Hriday Rai and
petitioners, who were sitting in the said vehicle 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. The petitioners were simple commuters of the said vehicle. They have no concern with the alleged seized liquor. The petitioner no.1 and 2 have got no criminal antecedent. The Petitioner no.3 has been implicated in Excise Act bearing Kathara Goraul O.P. P.S. Case No.242 of 2017, in which, he has already been enlarged on anticipatory bail. The petitioners have been languishing in custody since 01.01.2018.

In the facts and circumstances of the case, the above named petitioners are directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge, Hajipur, in connection with Sarai P.S. Case No.241/2017.

(Prakash Chandra Jaiswal, J)

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