

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24424 of 2018

Arising Out of PS. Case No.-38 Year-2018 Thana- DUMRIAGHAT District- East Champaran

1. Jitendra Rathore, Son of Gyan Singh, Resident of Village- Nand Nagri, House No. A-3/225, P.S.- Nand Nagri, District- Delhi.
2. Prem Kumar Gupta, So of Hare Krishna Gupta, Resident of Village- Tahirpur, P.S.- Jhilmil (GTV), District- Delhi.
3. Akash Kumar, Son of Suresh Chandra, Resident of Village- Sundar Nagri Gali No.8, P.S.- Nand Nagri, District- Delhi.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar @ Sonu
For the Opposite Party/s : Mr. Sanjay Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 30-04-2018 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners seek bail in connection with Dumariyaghat P.S. Case no. 38 of 2018 registered under Sections 272, 273/34 of I.P.C. and Section 30(a) of Bihar Prohibition & Excise Act-2016.

276 lts. of foreign liquor is said to have been recovered from a car and petitioners sitting in the said car were apprehended.

It is submitted by learned counsel for the petitioners that no incriminating article has been recovered from conscious physical possession of the petitioners. They have no concern



with the seized liquor. As a matter of fact, the said liquor was dumped by some miscreants on the road who managed to escape seeing the police party and petitioners have been falsely implicated in the case merely on suspicion while they were passing through the place of occurrence at the time of occurrence. They have no criminal antecedent. They have been languishing in custody since 12.03.2018.

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 the learned 4th Additional Sessions Judge-cum-Special Judge, Excise at Motihari, East Champaran in connection with Dumariyaghat P.S. Case no. 38 of 2018.

(Prakash Chandra Jaiswal, J)

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