

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24942 of 2018

Arising Out of PS.Case No. -35 Year- 2018 Thana -CHAKAI District- JAMUI

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1. Raja Kumar Son of Arun Kumar Mandal,
 2. Rajbir Kumar Son of Ajay Mahto @ Ajay Kumar, Both are Resident of Village-Waterways Collony, Kachahari Road, Ward No.16,Chitragupt Naar, Khagaria, P.S. and District Khagaria.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Pankaj Kumar Sinha

For the Opposite Party/s : Mr. Sri Shailendra Kumar -2

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

2 01-05-2018 Heard learned counsel for the petitioners and learned APP for the State.

The petitioners seek bail in a case registered for the offence punishable under Section 273/34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

80 litres of country made liquor is said to have been recovered from Hundai Grand I-10 car and three accused persons including its driver namely Raja Kumar 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 no concern with the seized liquor. Petitioner no.1 Raja Kumar does



not happen to be driver of the said vehicle. Both the petitioners happen to be commuter and they had no knowledge of keeping of the liquor in the vehicle. Seizure list also does not bear the signature of the petitioners. They have no criminal antecedent. They have been languishing in custody since 18.03.2018. Similarly situated co-accused, namely, Rakesh Kumar has been enlarged on bail by this court vide order dated 30.04.2018 passed in Cr. Misc. No. 23139 of 2018.

Considering the facts aforesaid, 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 2nd Addl. District and Sessions Judge, Jamui in connection with Chakai P.S. Case No. 35 of 2018.

(Prakash Chandra Jaiswal, J)

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