

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26852 of 2018

Arising Out of PS. Case No.-42 Year-2018 Thana- LAUKHI District- Madhubani

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1. Anil Kumar Yadav, Son of Hari Narain Yadav,
 2. Raj Narain Yadav, Son of Jibachh Prasad Yadav, Both are resident of Village- Mahdeva, P.S. Laukahi, District- Madhubani.
 3. Om Prakash Yadav, Son of Suresh Chandra Yadav, resident of Village- Koriyahi, P.S. Laukahi, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha
For the Opposite Party/s : Mr. Sanjay Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 03-05-2018 Heard learned counsel for the petitioners and learned APP for the State.

The petitioners seek bail in connection with Laukahi P.S. Case no. 42 of 2018 registered under Sections 272, 273/34 of I.P.C. and Sections 30(a), 38 of Bihar Prohibition & Excise Act-2016.

720 lts. of Nepali wine is said to have been recovered from Bolero pick-up van while 180 lts. Nepali wine from Bolero SLX and driver of the aforesaid vehicle and petitioners sitting on it 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 either with the seized liquor or with the vehicle in question. As a matter of fact, the petitioners were travelling by Bolero SLX and had no knowledge of keeping of the aforesaid liquor in the said vehicle. They happen to be simple commuter of the said vehicle. They have no criminal antecedent. They have been languishing in custody since 17.03.2018.

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 Addl. District & Sessions Judge-cum-Special Judge, Excise, Madhubani in connection with Laukahi P.S. Case no. 42 of 2018.

(Prakash Chandra Jaiswal, J)

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