

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26994 of 2018

Arising Out of PS. Case No.-42 Year-2018 Thana- DAGARUA District- Purnia

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1. Md. Naushad Alam @ Md. Naushad @ Naushad Alam Son of Md. Israil Resident of Village - Islampur Khakhai, Police Station - Kishanpur, District - Supaul.
 2. Priyatam Kumar @ Pritam Kumar Son of Yogendra Kumar Yadav @ Yogendra Kumar Resident of College Chowk Madhepura, Police Station and District - Madhepura.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Parmanand Kumar
For the Opposite Party/s : Mr. Ramchandra Sahani

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 Dagarua P.S. Case no. 42 of 2018 registered under Sections 272, 273 of IPC and Section 30(a) of Bihar Prohibition & Excise Act-2016.

100.5 lts. of foreign liquor is said to have been recovered from Maruti 800 and petitioner no. 1 (Md. Naushad Alam) who is said to be driver of the said car while petitioner no. 2 (Priyatam Kumar @ Pritam Kumar) sitting in 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 with the seized liquor. Petitioner no. 1 does not happen to be driver of the aforesaid car rather both petitioners were commuter of the same and were regressing to their house by the said vehicle and they had no knowledge of keeping of the said liquor in the car. They have been falsely implicated in the case at the instance of their enemy. They have no criminal antecedent. They have been languishing in custody since 16.03.2018.

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 3rd A.D.J.-cum-Special Judge, Excise, Purnea in connection with Dagarua P.S. Case no. 42 of 2018.

(Prakash Chandra Jaiswal, J)

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