

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33830 of 2018

Arising Out of PS. Case No.-293 Year-2018 Thana- BARACHATTI District- Gaya

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1. Raushan Raj, son of Rajnish Tiwari, resident of village-Kirani Ghat, P.S.-Kotwali, District-Gaya
 2. Md. Vikki, Son of Md. Kamruddin, resident of village Panchayati Akhara, P.S.-Kotwali, Dist.-Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prithivi Raj Singh

For the Opposite Party/s : Mr. Pranav Kumar

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

4 17-07-2018 Heard learned counsel for the petitioners and learned APP for the State.

The petitioners seek bail in connection with Barachatti P.S. Case No. 293 of 2018 registered under Sections 30(a), 38 and 47 of the Bihar Prohibition and Excise Act-2016.

90 lts. of foreign liquor is said to have been recovered from cartoon kept in the Tata Indigo vehicle and petitioner Raushan Raj who happens to be its driver and petitioner Md. Vikki sitting in the said car were apprehended.

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



concern with the seized liquor. The petitioner no. 1 happens to be driver of the vehicle in question while petitioner no. 2 is the commuter of it and they had no knowledge of keeping of liquor in the said vehicle by its owner. They have no criminal antecedent. They have been languishing in custody since 04.05.2018.

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 Special Judge, Excise Act, Gaya in connection with Barachatti P.S. Case No. 293 of 2018.

(Prakash Chandra Jaiswal, J)

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