

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42795 of 2018

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1. Pintu Kumar, S/o. Late Chhotan Soni, R/o. Village- Kalyanpur, Ara, P.S.- Bihiya, District- Bhojpur.
 2. Ganesh Jee @ Ganesh, S/o. Lal Babu Prasad, R/o. Village- Ara bind Toli, P.S.- Ara nagar, District- Bhojpur.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Ravindra Kumar

For the Opposite Party/s : Mr. Nand Kumar

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

2 17-07-2018 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 30(a) of the Bihar Prohibition and Excise Act, 2016.

43.920 litres of foreign liquor is said to have been recovered from the tempo and the petitioners and one other accused person sitting in the said tempo 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 either with the seized liquor or with the tempo in question. They happen to be simple commuter of the said tempo



and they had no knowledge of keeping of the liquor in the tempo. They have been languishing in custody since 17.05.2018. Similarly situated co-accused, namely, Chandan Kumar has been enlarged on bail by this court vide order dated 19.06.2018 passed in Cr. Misc. No. 33822 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 Special Judge, Excise, Bhojpur, Ara in connection with Barhara (Krishnagarh) P.S. Case No. 191 of 2018.

(Prakash Chandra Jaiswal, J)

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