

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36853 of 2018

Arising Out of PS. Case No.-45 Year-2018 Thana- AHIAPUR District- Muzaffarpur

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1. Pradeep Kumar, Son of Katar Singh, resident of Village- Mohammadpur, Police Station- Gohana, District- Sonipat (Hariyana).
 2. Sonu Kumar, Son of Jagdish Chandra, resident of Village- Asarpurkhera, P.S.- Kharkhauda, District- Sonipat (Hariyana).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar
For the Opposite Party/s : Md. Fahimuddin

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 28-06-2018 Heard learned counsel for the petitioner and State.

The petitioners are in custody in connection with Ahiyapur P.S. Case No. 45 of 2018 for the offence registered under Sections 272, 273, 420, 120B and Section 30 (a) of Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioners submits that petitioners have no criminal antecedent. Petitioners are in custody since 14.01.2018 in connection with seizure of 45 liters of foreign liquor. Learned counsel for the petitioners further submits that petitioners are driver and Khalasi of the truck carrying the alleged recovered liquor. Learned counsel for the petitioner further submits that they have no criminal antecedent.



They have neither owner of the owner of the vehicle nor they were aware of the fact that liquor was loaded in the truck. He further submits that seizure list was not prepared in accordance with mandatory requirements of Section 100 Cr.P.C.

Considering the fact that the petitioners have got no criminal antecedent and they have remained in custody for more than six months, let the petitioners, named above is directed to be released on bail on furnishing bail bond of Rs.10000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Muzaffarpur, in connection with Ahiyapur P.S. Case No. 45 of 2018.

(Anil Kumar Upadhyay, J)

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