

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34755 of 2018

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1. Rahul Kumar, S/o Ghanshyam Yadav, R/o Village – Koyli Khutaha (Bangaon Khutaha), P.S.- Lodipur, District – Bhagalpur.
 2. Ranveer Kumar, S/o Chandrika Prasad Yadav, R/o Village – Lahuaara, P.S. Hasi, District – Lakhisarai.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Jha

For the Opposite Party/s : Mr. Sri Arbind Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

02 19-06-2018

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 Sections 272 & 273 of the Indian Penal Code and Section 30 (a), 32 (b) and 38 (a) of the Bihar Prohibition and Excise Act, 2016.

16.05 liters of foreign liquor is said to have been recovered from the Sumo Gold vehicle and six persons including these petitioners were apprehended in course of escaping from the said vehicle.

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



happen to be Military Personnel and were on leave which is going to culminate on 24.06.2018. Petitioner Rahul Kumar was entitled to carry 10 bottles of liquor while petitioner Ranveer Kumar was entitled to carry 06 bottles of liquor while on leave. They have no criminal antecedents and besides the aforesaid bottles no any other liquor was seized from the aforesaid vehicle by the Police. They have been languishing in custody since 18.04.2018.

In the facts and circumstances of the case, 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 Additional Sessions Judge-II-cum-Special Judge Excise, Lakhisarai in connection with Lakhisarai P.S. Case No. 258 of 2018.

(Prakash Chandra Jaiswal, J)

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