

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42875 of 2018

- =====
1. Gautam Kumar Paswan @ Gautam Kumar, Son of Kameshwar Paswan.
 2. Bittu Kumar @ Bittu Kumar Paswan, S/o Uma Shankar Paswan
Both are residents of village – Kavahi Mirzapur, P.S.-Bahadurpur,
District-Darbhanga.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Shakti Suman Kumar

For the Opposite Party/s : Mr. Indra Kumar Singh

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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 Sections 30(a) and 30(g) of the Bihar
Prohibition and Excise Act, 2016.

60 cartons of foreign liquor is said to have been
recovered from a truck and on the seizure of the truck, petitioners
arrived there on the motorcycle and were apprehended. They
disclosed that at the instance of Sanjay Sahani who happens to be
owner of the said liquor, they had arrived there to get the truck
released.

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 truck in question. They have not made any confessional statement before the police. They have been falsely implicated in the case by the police merely on suspicion while they were passing through the place of occurrence at the time of occurrence. They have no criminal antecedent. They have been languishing in custody since 24.05.2018.

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 Addl. Sessions Judge-IV cum Special Judge, Darbhanga in connection with A.P.M. P.S. Case No. 52 of 2018.

(Prakash Chandra Jaiswal, J)

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