

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.43774 of 2018

Arising Out of PS.Case No. -205 Year- 2018 Thana -GOVERNMENT OFFICIAL COMP. District-
GAYA

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1. Rahul Kumar, son of Shyam Babu.
2. Viru Kumar, son of Ramjatan Singh.
Both resident of village Paigambarpur, P.S. Khushrupur, District Patna.
.... Petitioners.

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Man Mohan Kumar

For the Opposite Party/s : Dr. Indiar Kumari

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER**

02 19-07-2018 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.

99 liters of foreign liquor is said to have been recovered
from the Honda City car and the petitioners sitting in the said car
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 the car in question. They neither happen
to be driver or khalasi or owner of the car in question. They



happen to be simple commuters and were travelling in the car by taking lift from its driver and had no knowledge of keeping of the said liquor in the car while the driver of the car managed to escape leaving the liquor laden car seeing the personnel of Excise Department. They have no criminal antecedent and have been languishing in custody since 13.06.2018.

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 Special Judge Excise, Gaya in connection with Excise Case No.205 of 2018.

(Prakash Chandra Jaiswal, J)

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