

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44667 of 2018

Arising Out of PS. Case No.-85 Year-2018 Thana- DUMRIAGHAT District- East Champaran

1. Ramraj Yadav s/o Bipat Yadav resident of village - Aarer Bisunpur, P.S. Aarer, District - Madhubani.
2. Bharat Kumar Yadav s/o late Jiwar Yadav @ Jiwan Yadav resident of village - Godali Aarer, P.S. - Aarer, District - Madhubani.
3. Ramnarain Yadav s/o Yogendra Yadav resident of village - Rantoli Bhodali (Bugnali), P.S. - Aarer, District - Madhubani.
4. Subodh Yadav s/o Kallu Yadav @ Kailu Yadav resident of village - Itahar, P.S. - Bisaki, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma
For the Opposite Party/s : Mr. Indra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 24-07-2018 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners seek bail in connection with Dumariyaghat P.S. Case no. 85 of 2018 registered under Sections 272, 273, 34 of I.P.C. and Section 30(a) of Bihar Excise and Prohibition Act-2016.

256.5 lts. of foreign liquor is said to have been recovered from dickey of Swift Desire car and its driver petitioner Ramraj Yadav and other three petitioners sitting on the car were apprehended.



It is submitted by learned counsel for the petitioners that no incriminating article has been recovered from conscious physical possession of the petitioners. They have no concern with the seized liquor. Petitioner Ramraj Yadav happens to be driver of vehicle in question while rest three petitioners are its commuter and they had no knowledge of keeping of liquor in the said car by its owner. There is no compliance of Section 100 Cr.P.C. They have no criminal antecedent. They have been languishing in custody since 27.05.2018.

In the facts and circumstances of the case, the above named petitioners are directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise, East Champaran, Motihari in connection with Dumariyaghat P.S. Case no. 85 of 2018.

(Prakash Chandra Jaiswal, J)

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