

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47278 of 2018

Arising Out of PS. Case No.-146 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- Gopalganj

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1. Raj Kumar Giri, S/o Harey Ram Giri R/o Vill-Khaira Rampur Mathia P.S. Khaira, Distt-Chapra (Saran).
2. Satyabir Rajput, S/o Udaibir Singh, R/o Vill-Himatpur, P.S. Nidhauli Distt-Etawa (U.P.)

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anand Kishore Choudhary

For the Opposite Party/s : Mr. Shantanu Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 02-08-2018 Heard learned counsel for the petitioners and
learned APP for the State.

The petitioners seek bail in connection with Excise Case no. 146 of 2018 registered under Section 30(a) of Bihar Excise and Prohibition Act-2016.

177.840 lts. of foreign liquor is said to have been recovered from Honda City Car and petitioner Satyabir Rajput, who happens to be its driver and petitioner Raj Kumar Giri, who was sitting in the said care 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 Satyabir Rajput happens to be driver of the said car and he had no knowledge of keeping of liquor under the seat of the car and he was simply plying the aforesaid car as per instruction of its owner while petitioner Raj Kumar Giri happens to be simpler commuter of the aforesaid car and was travelling in it without any knowledge of keeping of liquor in the car. They have been falsely implicated in this case. They have no criminal antecedent. They have been languishing in custody since 30.06.2018.

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 A.D.J.-II, Gopalganj in connection with Excise Case no. 146 of 2018.

(Prakash Chandra Jaiswal, J)

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