

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48064 of 2018

Arising Out of PS.Case No. -430 Year- 2018 Thana -BARACHATTI District- GAYA

- =====
1. Bittu Kumar S/o Binod Yadav Resident of Village- Kharaindwa Bastes, Police Station- Tilaiya, Distt. Koderma.
 2. Mahesh Kumar Singh S/o Shankar Singh Resident of Village- 373 Tilaiya Basti, Police Station- Jhumri Tilaiya, Distt. Koderma.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance:

For the Petitioner/s : Mr. Abhimanyu Sharma

For the Opposite Party/s : Mr. Narsingh Tanti

=====

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 07-08-2018 Heard learned counsel for the petitioners and learned APP for the State.

Petitioners seek bail in a case registered for the offence punishable under Sections 30(a), 38 and 47 of the Bihar Prohibition and Excise Act, 2016.

90 litres of foreign liquor is said to have been recovered from the Bolero vehicle and three accused persons sitting in the said vehicle were apprehended. Besides the aforesaid recovery, Rs. 1 lakh was recovered from the possession of co-accused Sandeep Bhadani.

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 vehicle in question. They happen to be simple commuter and they had no knowledge of keeping of the said liquor in the vehicle. They have been falsely implicated in the case at the instance of their enemies. They have no criminal antecedent. They have been languishing in custody since 29.06.2018. Similarly situated co-accused Sandeep Bhadani who happens to be driver of the said vehicle has been enlarged on bail by this court vide order dated 26.07.2018 passed in Cr. Misc. No. 45482 of 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 In-Charge Special Judge, Excise Act, Gaya in connection with Barachatti (Mohanpur) P.S. Case No. 430 of 2018.

(Prakash Chandra Jaiswal, J)

Mishra/-

U		T	
---	--	---	--

