

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46873 of 2018

Arising Out of PS. Case No.-124 Year-2018 Thana- BAHERI District- Darbhanga

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1. Lalit Yadav, S/o Bhatu Yadav, R/V Hanumannagar P.S. Baheri, Distt-Darbhangha.
 2. Md. Aslam, S/o Md. Ayub, R/V-Havidih, P.S. Baheri, Distt-Darbhangha.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh

For the Opposite Party/s : Smt. Gulnar Begam

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 01-08-2018 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners seek bail in connection with Baheri
P.S. Case no. 124 of 2018 registered under Section 30(a) of
Bihar Excise and Prohibition Act-2016.

213 lts. of foreign liquor is said to have been
recovered from Bolero vehicle and its driver, namely, Md.
Aslam (petitioner no. 2) and one other accused, namely, Lalit
Yadav (petitioner no. 1) were apprehended in the course of
escaping from the said vehicle.

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. They have been falsely implicated in this case. Petitioner no. 2 Md. Aslam happens to be driver of the aforesaid vehicle and he had no knowledge of keeping of liquor in the vehicle while petitioner no. 1 Lalit Yadav its commuter and was sitting in it taking lift from its driver without any knowledge of keeping of liquor in the vehicle. There is no compliance of Section 100 Cr.P.C. Petitioner no. 1 has no criminal antecedent while one more criminal case has been lodged against the petitioner no. 2, but he is on bail in the said case. They have been languishing in custody since 15.06.2018.

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 Addl. Sessions Judge-IV-cum-Special Judge, Darbhanga in connection with Baheri P.S. Case no. 124 of 2018.

(Prakash Chandra Jaiswal, J)

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