

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49111 of 2018

Arising Out of PS.Case No. -23 Year- 2018 Thana -SAKATPUR District- DARBHANGA

- =====
1. Bipin Kumar, Son of Suresh Kumar,
 2. Deepak Kumar Singh @ Deepak Singh, Son of Ishwar Singh, Both are resident of Village- Burari, Sant Nagar, Police Station- Sant Nagar, Burari, New Delhi.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Girish Chandra Jha
For the Opposite Party/s : Mr. Anuj Kumar Srivastava

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

2 10-08-2018 Heard learned counsel for the petitioners and learned APP for the State.

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

82.500 litres of foreign liquor is said to have been recovered from the dicky of the two vehicles and the petitioner no.2 Deepak Kumar Singh who happens to be driver of one of the vehicles and petitioner no.1 Bipin Kumar who was standing near the vehicle and others 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 with the seized liquor. Petitioner no.2 Deepak Kumar Singh happens to be driver of one of the vehicles and he was plying the said vehicle as per the instruction of its owner and he had no knowledge of keeping of the liquor in the dicky by its owner while petitioner no.1 Bipin Kumar has no concern with the vehicles in question. He has been falsely implicated in the case by the police merely on suspicion while he was passing through the place of occurrence at the time of occurrence. They have no criminal antecedent. They have been languishing in custody since 01.05.2018.

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 4th Additional Sessions Judge cum Special Judge, Darbhanga in connection with Sakatpur P.S. Case No. 23 of 2018.

(Prakash Chandra Jaiswal, J)

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