

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48927 of 2018

Arising Out of PS.Case No. -219 Year- 2018 Thana -BRAHMPURA District- MUZAFFARPUR

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1. Satya Prakash Yadav @ Satya Prakash @ Satya Prakash Yad S/o Late Phool Singh, R/o Vill.- Bhungarka Tahsil Narlaun P.S.- Nagal Chaudhary, District- Mahendra Gadh (Harayana).
 2. Subhash Chandra Yadav @ Subhash Chand S/o Late Suraj Bhan, R/o Vill.- Bhiteda, P.O.- Riwali Tahsil, P.S.- Behror , District- Alwar (Rajasthan).
 3. Ishwar Singh S/o Gopal Singh, R/o Vill.- Shyamgarh, P.S. & Tahsil Ranauli, District- Sikar (Rajasthan). Petitioners.

Versus

1. The State of Bihar Opposite Party.
- =====

Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar

For the Opposite Party/s : Mr. Sunil Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

2 09-08-2018 Heard learned counsel for the petitioners and learned APP for the State.

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

202.248 liters of foreign liquor is said to have been recovered from the different electrical boxes loaded on the bus and petitioner nos. 1 and 2, who happen to be driver of the bus and petitioner no.3 who happens to be khalasi 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



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the seized liquor. They have been falsely implicated in this case. As a matter of fact, the electric boxes were loaded on the said bus under the garb of the stabilizer by the Sunny Dev Electricals and petitioners had no knowledge of keeping of the said liquor in the alleged boxes. Eleven vouchers of the aforesaid firm were also handed over to the petitioners along with the consignment at the time of loading of the aforesaid consignment. They have no criminal antecedent and have been languishing in custody since 11.07.2018.

In the facts and circumstances of the case, 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 Special Judge Excise, Muzaffarpur in connection with Brahampura P.S. Case No. 219 of 2018.

(Prakash Chandra Jaiswal, J)

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