

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50757 of 2018

Arising Out of PS.Case No. -364 Year- 2018 Thana -ARA NAWADA District- BHOJPUR

=====

1. Ravi Kumar, Son of Sri Lalan Rawat, resident of Mohalla-Chiraiyatar
Munsi Bhagat Path, P.S- Kankarbagh, District- Patna.
2. Lalan Kumar Jha @ Rahul @ Lallan Kumar Jha, son of Sri Mohan Jha,
resident of Mohalla- Postal Park, Gali No. 1, Kankarbagh, P.S- Jakkanpur,
District- Patna.
3. Kallu yadav, Son of Sri Kamal Yadav, resident of village- Mirampur,
P.S- Raghobpur, District- Vaishali

.... Petitioners.

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Amit Kumar Anand

For the Opposite Party/s : Mr. Manoj Kumar

=====

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**
ORAL ORDER

02 18-08-2018 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 Sections 30(a), 38(1)(2), 41(I)(II) and 47 of the
Bihar Prohibition and Excise Act, 2016.

9179.72 liters of foreign liquor is said to have been
recovered from the two trucks parked in the Ramna Maidan and
six persons including the petitioners driver and cleaner of the
aforesaid vehicles were apprehended from the alleged place of
parking of the vehicles while three other accused persons managed
to escape. Petitioners are said to be trader of the said liquor.

It is submitted by learned counsel for the petitioners that no



- 2 -

incriminating article has been recovered from the conscious physical possession of the petitioners. They have no concern either with the seized liquor or the place of recovery or the vehicle in question or any trade of liquor. They have been falsely implicated in this case by the police with ulterior motive by apprehending them on the day preceding to the recovery of the liquor on 28.05.2018 and remanded on 29.05.2018. There is violation of Section 100 Cr.P.C. They have no criminal antecedent and have been languishing in custody since 29.05.2018. Similarly situated co-accused, namely, Amardeep Kumar @ Amardeep Paswan @ Chhotu has been enlarged on bail by this Court in Cr. Misc. No.48403 of 2018 vide order dated 08.08.2018.

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, Bhojpur, Ara in connection with Excise Case No. 922 of 2018 arising out of Ara Nawada P.S. Case No. 364 of 2018.

(Prakash Chandra Jaiswal, J)

Trivedi/-

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

