

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.50980 of 2018**

Arising Out of PS.Case No. -173 Year- 2018 Thana -PHULWARIYA District- GOPALGANJ

- =====
1. Yugal Kishore @ Yugal Kishore, Son of Chhakkai Lal
  2. Vikrama Singh, Son of Jaipal Singh, Both ( 1 & 2 ) Resident of Village- Pathoria, P.S.- Tal Baher, District- Lalitpur, Uttar Pradesh.

.... .... Petitioner/s

Versus

The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Sanjay Kumar Pandey No. -5

For the Opposite Party/s : Smt. Asha Devi

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

2      20-08-2018                      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 414 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

103.680 litres of foreign liquor is said to have been recovered from the dicky of the Honda City Car and petitioner Yugal Kishore @ Yugal Kishore who is said to be said its driver and Vikram Singh sitting in the said car were apprehended in the course of escaping from the said car.

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 Yugal Kishore @ Yugal Kishore happens to be driver of the said vehicle and was plying the said vehicle at the instruction of its owner without knowledge of keeping of the said liquor in the dickey of the car by its owner while petitioner Vikrama Singh happens to be simple commuter of the said vehicle and he was travelling in the vehicle without knowledge of keeping of the said liquor in the dickey of the said vehicle. There is violation of Section 100 Cr.P.C. They have no criminal antecedent. They have been languishing in custody since 20.07.2018.

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 Additional Sessions Judge-II cum Special Judge, Gopalganj in connection with Phulwaria P.S. Case No. 173 of 2018 (GR No. 3278 of 2018).

**(Prakash Chandra Jaiswal, J)**

Kr. Uday/-

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