

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53866 of 2018

Arising Out of PS.Case No. -374 Year- 2018 Thana -ALAMGANJ District- PATNA

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1. Anish Raj, Son of Raj Kapoor Raj, Resident of Village- Saidpur Ganesh P.S.- Bidupur, District- Vaishali.
 2. Rahul Kumar alias Rahul Kumar Sinha, Son of Vinay Prasad Sinha, Resident of Mohalla- Mangla Talab Chik Toli, P.S.- Khajekalan, District- Patna.

.... Petitioners.

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Dubey

For the Opposite Party/s : Mr. Dashrath Mehta

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 30-08-2018 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.

35.280 liters of foreign liquor is said to have been recovered from the dicky of the Maruti Alto Car and the petitioners sitting in the said car 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 either with the seized liquor or with the vehicle in question. They happen



to be simple commuter of the vehicle in question and were travelling without any knowledge of keeping the liquor in the dickey of the car by its driver who managed to escape seeing the police party. They have no criminal antecedent and have been languishing in custody since 18.07.2018.

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 Special Judge, Excise, Patna in connection with Special Case No. 6528 of 2018 arising out of Alamganj P.S. Case No. 374 of 2018.

(Prakash Chandra Jaiswal, J)

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