

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52866 of 2018

Arising Out of PS. Case No.-207 Year-2018 Thana- JOKIHAT District- Araria

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1. Sunil Kumar Mandal, Son of Chhutharon Mandal.
 2. Amrendra Kumar, Son of Late Umesh Choudhary. Both are resident of Village- Thumha Bazar, Ward No. 12, P.S. Pipra, District- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mrigendra Kumar

For the Opposite Party/s : Mr. Abhay Kumar - 1

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 28-08-2018 Heard learned counsel for the petitioners and learned APP for the State.

The petitioners seek bail in connection with Jokihat P.S. Case no. 207 of 2018 registered under Sections 272, 273/34 of I.P.C. and Sections 30(a), 38(1) of Bihar Excise and Prohibition Act-2016.

108.75 lts. of foreign liquor is said to have been recovered from dickey of the Innova car and petitioner no. 1, who happens to be its driver while petitioner no. 2 sitting on the said car were apprehended.

It is submitted by learned counsel for the petitioners that no incriminating article has been recovered from conscious



physical possession of the petitioners. They have no concern with the seized liquor. Petitioner no. 1 happens to be driver of the said car and was plying it as per instruction of its owner without any knowledge of keeping of liquor in the dickey of the car by its owner while petitioner no. 2 happens to be simple commuter of the said car and was travelling on it without any knowledge of keeping of liquor in the car. They have been falsely implicated in this case. They have no criminal antecedent. They have been languishing in custody since 15.07.2018.

In the facts and circumstances of the case, the above named petitioners are directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Addl. Sessions Judge-II-cum-Special Judge, Excise Act, Araria in connection with Jokihat P.S. Case no. 207 of 2018.

(Prakash Chandra Jaiswal, J)

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