

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2723 of 2018

Arising Out of PS.Case No. -495 Year- 2017 Thana -GOVERNMENT OFFICIAL COMP. District-
GOPALGANJ

- =====
1. Sujeet Kumar Pandey, Son of Late Ram Murati Pandey, Resident of Village- Bagahi Noniya Tola, Police Station- Bairiya, District- West Champaran.
 2. Biranjan Kumar, Son of Late Vindhyaachal Mahato, Resident of Village- Kalibag, Police Station- Bettiah Town, District- West Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Brij Kishor Mishra, Advocate.

For the Opposite Party/s : Mr. Bharat Lal, APP.

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 23-01-2018 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners seek bail in Excise Case No. 495 of
2017 registered under Section 30(a) of the Bihar Prohibition and
Excise Act, 2016.

61.200 litres of foreign liquor is said to have been
recovered from the tempo of the petitioner no.1 while petitioner
no.2 happens to be his helper and both were apprehended on the
spot.

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



physical possession of the petitioners. The petitioner no.1 happens to be the owner of the tempo and some unknown person was carrying the said liquor in the bag on his tempo of which the petitioners had no knowledge. In the meantime, police chased the said tempo on a tip off, but the person carrying the said liquor anyhow managed to escape. The petitioners were apprehended along with the tempo. The petitioners have no criminal antecedent. They have been languishing in custody since 11.11.2017.

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 District and Sessions Judge-2nd-cum-Special Judge, Gopalganj in connection with Excise Case No. 495 of 2017.

(Prakash Chandra Jaiswal, J)

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