

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50983 of 2018

Arising Out of PS.Case No. -140 Year- 2018 Thana -DAGARUA District- PURNIA

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1. Pravesh Kumar, Son of Late Deo Narayan Mandal.
 2. Mukesh Kumar, Son of Budhdeo Choudhary.
 3. Subodh Kumar, Son of Rajendra Mandal, All resident of Village- Mohammadpur, Barsouni, P.S.- Dagarua, District- Purnea.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amit Kumar Anand

For the Opposite Party/s : Smt. Gulnar Begam

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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 Sections 272 and 273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

81.750 litres of foreign liquor is said to have been recovered from the Hyundai Car and petitioners were apprehended in the course of escaping from the said car while its driver, namely, Md. Kounen managed to escape.

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 car in question. They have been falsely implicated in the case. They happen to be simple commuter and were traveling in the said car without knowledge of keeping of the said liquor in the said car. The driver managed to escape leaving liquor laden vehicle there seeing the police personnel. They have no criminal antecedent. They have been languishing in custody since 17.07.2018.

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 2nd Additional Sessions Judge cum Special Judge, Excise Act, Purnea in connection with Special Excise Case No. 671 of 2018 arising out of Dagarua P.S. Case No. 140 of 2018.

(Prakash Chandra Jaiswal, J)

Kr. Uday/-

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