

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20578 of 2018

Arising Out of PS.Case No. -40 Year- 2018 Thana -KUCHAIKOTE District- GOPALGANJ

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1. SANJEEV KUMAR @ SANJEEV KUMAR SINGH, S/o Sawan Kumar Ram, R/o Village- Ambaia, New Colony (Mandali), P.S.- Baldeo Nagar, District- Ambala (Haryana).
 2. Hani Kumar Singh @ Honey Singh S/o Dalbir Kumar Singh, R/o Village- Ambala Kaint Mochi Mandi, P.S.- Sadar, District- Ambala (Haryana).

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Saket Tiwary

For the Opposite Party/s : Mr. Kumar Virendra Narayan

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

3 27-06-2018 Heard learned counsel for the petitioners and learned APP for the State.

The petitioners seek bail in a case registered under Sections 30(a) (b) (c), 38 and 41(a)(b) of the Bihar Prohibition and Excise Act, 2016.

2326 litres of country made liquor is said to have been recovered from the truck and petitioners who happen to be driver and khalasi of the said truck 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. They have been falsely implicated in the case. They happen to be simple driver and khalasi of the vehicle in question. They have no criminal antecedent. They have been languishing in custody since 27.02.2018.

Learned APP vehemently opposing the bail petition submitted that huge quantity of country made liquor has been recovered from the truck and the petitioners were apprehended from the said truck. Hence, they do not deserve bail.

In the facts and circumstances of the case, I am not inclined to enlarge the petitioners on bail. Prayer for bail of the petitioners is rejected.

However, the petitioners may renew their prayer for bail after framing of charge.

(Prakash Chandra Jaiswal, J)

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