

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28170 of 2018

Arising Out of PS.Case No. -38 Year- 2018 Thana -MOHAMMADPUR District- GOPALGANJ

- =====
1. MOHIT @ MAHIT son of Narendra Kumar Residence of Chnauli, P.S. - Khakhaboda, Dist Noni Path (Haryana).
 2. Rabi Son of Hariom Residence of Pelpapoh Badli, P.S. Jhajhajar, State Haryana.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

=====

Appearance:

For the Petitioner/s : Mr. Sushil Kumar

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala

=====

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

4 27-06-2018 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 30(a), 38 and 41 of the Bihar Prohibition and Excise Act, 2016.

272 litres of foreign liquor is said to have been recovered from the car and the petitioner no.1 Mohit who happens to be its driver and another accused namely Rabi (petitioner no.2) 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 with the seized liquor. They have been falsely implicated in the case. Petitioner no.1 Mohit happens to be driver of the vehicle in question and petitioner no.2 Rabi was simple commuter of the vehicle sitting in it taking lift from its driver. Petitioners had no knowledge of keeping of the aforesaid liquor in the said car by its owner. They have no criminal antecedent. They have been languishing in custody since 29.03.2018.

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 Addl. District and Sessions Judge-II cum Special Judge, Gopalganj in connection with Mohamadpur P.S. Case No. 38 of 2018.

(Prakash Chandra Jaiswal, J)

Mishra/-

U		T	
---	--	---	--

