

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36718 of 2018

Arising Out of PS. Case No.-124 Year-2018 Thana- BOCHHA District- Muzaffarpur

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1. Surendra Ram, S/o Late Maksudan Ram,
 2. Manoj Sah S/o Late Shyamlal Sah, Both R/o Vill.- Wajitpur Majhauri, P.S.- Bochaha, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prabhat Kumar

For the Opposite Party/s : Mr. Harendra Prasad

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

4 13-08-2018 Heard learned counsel for the petitioners and learned APP for the State.

The petitioners seek bail in connection with Bochahan P.S. Case no. 124 of 2018 registered under Sections 272, 273 of I.P.C. and Sections 30(a), 32(ii), 38(ii) of Bihar Excise and Prohibition Act-2016.

950.40 lts. of foreign liquor is said to have been recovered from pick-up van and petitioner Surendra Ram, who happens to be its driver while petitioner Manoj Sah its owner 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 this case. As a matter of fact, they had no knowledge of keeping of liquor in the cartoon on the vehicle belonging to Hari Ram and others and they were simply transporting the aforesaid cartoon at the instruction of Hari Ram and others on payment of freight. They have no criminal antecedent. They have been languishing in custody since 30.05.2018.

In the facts and circumstances of the case, the above named petitioners are directed to be enlarged on bail after one month from the date of this order 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 Special Judge, Excise Act, Muzaffarpur in connection with Bochahan P.S. Case no. 124 of 2018.

(Prakash Chandra Jaiswal, J)

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