

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46615 of 2018

Arising Out of PS.Case No. -125 Year- 2018 Thana -UJIYARPUR District- SAMASTIPUR

- =====
1. Arvind Kumar Son of Ram Keshwar Singh Resident of Village- Fatehpur, P.S. Musrigharari, District Samastipur.
 2. Raj Kishore Kumar Son of Tilak Mahto Resident of Village- Sirajabad, P.S. Sakra, District- Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar

For the Opposite Party/s : Mr. Binod Kumar 2

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

3 24-08-2018 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 & 273 of the Indian Penal Code and Sections 30 (a) and 47 of the Bihar Prohibition and Excise Act, 2016.

648 liters of foreign liquor is said to have been recovered from the Pick up Van kept beneath the bags of onion.

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. Arvind Kumar happens to be



driver and Raj Kishore Kumar happens to be khalasi of the said Pick up Van. They were plying the same as per instruction of its owner to carry the onion bags at the destination and they had no knowledge of loading of liquor beneath the onion bags by its owner. They had not made any disclosure. They have been falsely implicated in this case. They have no criminal antecedent and have been languishing in custody since 29.05.2018.

In the facts and circumstances of the case, 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-VI cum Special Judge, Excise Act, Samastipur in connection with Ujiarpur P.S. Case No. 125 of 2018.

(Prakash Chandra Jaiswal, J)

Kr. Uday/-

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