

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50013 of 2018

Arising Out of PS. Case No.-142 Year-2018 Thana- DAGARUA District- Purnia

-
1. Bhupendra Kumar Son of late Rajendra Pd. Yadav
 2. Rakesh Kumar Yadav@ Rakesh Kumar Son of Deo Narayan Yadav
 3. Durga Prasad S/o late Yogendra Prasad Yadav All Resident of Village- Garhi Bishanpur, Ward No. 06, P.S. Hasanpur, District- Samastipur.
 4. Avinash Kumar Son of Bidehi Saran Yadav Resident of Village- Surha Basantpur, P.S. Hasanpur, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Kumar
For the Opposite Party/s : Mr. Pranav Kumar

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

3 28-08-2018 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners seek bail in connection with Dagarwa
P.S. Case no. 142 of 2018 registered under Sections 272, 273 of
I.P.C. and Section 30(a) of Bihar Excise and Prohibition Act-
2016.

85 lts. of foreign liquor is said to have been recovered
from Maruti Suzuki car and petitioner no. 2, who happens to be
its driver while rest three petitioners sitting on the said car 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. Petitioner no. 2 happens to be simple driver of the aforesaid vehicle and was plying the same as per instruction of its owner without any knowledge of keeping of liquor in the cartoon on the vehicle while rest three petitioners happen to be commuter of the said vehicle and were travelling on it without any knowledge of keeping of liquor in it. They have no criminal antecedent. They have been languishing in custody since 22.07.2018.

In the facts and circumstances of the case, the above named petitioners are directed to be enlarged on bail 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 Addl. Sessions Judge-II-cum-Special Judge, Excise Act, Purnea in connection with Dagarwa P.S. Case no. 142 of 2018.

(Prakash Chandra Jaiswal, J)

rohit/-

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

