

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25112 of 2018

Arising Out of PS. Case No.-288 Year-2016 Thana- ARA MUFFSIL District- Bhojpur

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1. Chunnu Yadav @ Driver Chunu Yadav, Son of Deo Nand Yadav,
 2. Ravi Yadav @ Khalasi Rai Yadav, S/o Late Mahendra Yadav,
- Both are Resident of Village- Baluhipur, P.S.- Ara Town,
District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar
For the Opposite Party/s : Mr. Shailendra Kumar -2

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

2 01-05-2018 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners seek bail in connection with Ara
Muffasil P.S. Case no. 288 of 2016 registered under Sections
272, 273 of I.P.C. and Sections 47, 57, 54 of Bihar Prohibition
& Excise Act-2016.

624 lts. of foreign liquor is said to have been
recovered from abandoned Tata Pick-up van. The documents of
the said vehicle indicated Dipu Kumar to be owner of the said
vehicle and on the confessional statement of Dipu Kumar, the
petitioners have been made accused in the case as driver and
khalasi respectively, of the aforesaid vehicle.



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 either with the seized liquor or with the vehicle in question. They have been falsely implicated in the case by its owner of the aforesaid vehicle Dipu Kumar as they had left their service preceding to the occurrence. Barring disclosure of Dipu Kumar, there is no material on record indicating their complicity in the occurrence. They have no criminal antecedent. They have been languishing in custody since 20.03.2018.

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 4th Addl. Sessions Judge, Bhojpur, Ara in connection with Ara Muffasil P.S. Case no. 288 of 2016.

(Prakash Chandra Jaiswal, J)

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