

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21454 of 2018

Arising Out of PS. Case No.-155 Year-2018 Thana- SITAMARHI District- Sitamarhi

Sanni Kumar Son of Devanand Sharma Resident of Village - Kamalpura,
Police Station - Paru, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

with

Criminal Miscellaneous No. 21589 of 2018

Arising Out of PS. Case No.-155 Year-2018 Thana- SITAMARHI District- Sitamarhi

Abinash Kumar S/o Om Prakash Rai @ Omprakash Yadav Resident of
Village-Chak Mahila Ward no.-4, P.S. and District-Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

Criminal Miscellaneous No. 22048 of 2018

Arising Out of PS. Case No.-155 Year-2018 Thana- SITAMARHI District- Sitamarhi

Rajan Kumar, son of Late Shyambabu Sah, Resident of Village- Koat Bazar
Chakmahila, P.S.- Sitamarhi, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

(In Criminal Miscellaneous No. 21454 of 2018)

For the Petitioner/s : Mr. Pushpendra Kumar Singh
Mr. Divya Bharti
Mr. Virendra Kumar

For the Opposite Party/s : Smt. Sahin Begam

(In Criminal Miscellaneous No. 21589 of 2018)

For the Petitioner/s : Mr. Virendra Kumar
For the Opposite Party/s : Mr. Sri Sanjay Kumar Tiwary

(In Criminal Miscellaneous No. 22048 of 2018)

For the Petitioner/s : Mr. Surendra Kishore Thakur
For the Opposite Party/s : Mr. Sri Ram Bilash Roy Raman



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

ORAL ORDER

2 16-04-2018 As these Cr. Misc. applications have cropped up from the same P.S. case, hence they are taken up together for consideration and disposed of by this common order.

Heard learned counsel for the petitioners and learned APP for the State.

The petitioners seek bail in connection with Sitamarhi P.S. Case no. 155 of 2018 registered under Sections 307, 272, 273 of the Indian Penal Code and Section 30(a) of Bihar Prohibition & Excise Act-2016.

100.44 lts. of foreign liquor is said to have been recovered from the Wagon R vehicle and its driver who was allegedly rashly driving the aforesaid vehicle with intention to kill the police personnel had managed to escape while three persons who were unloading the said liquor from the aforesaid vehicle were apprehended and one other accused managed to escape.

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 were passing from P.O. at the time



of occurrence and have been falsely implicated in the case by the police merely on suspicion. Petitioner Sanni Kumar and Abinash Kumar have no criminal antecedent while petitioner Ranjan Kumar has been falsely implicated in one more case under Excise Act merely on the basis of his confessional statement. They have been languishing in custody since 15.02.2018.

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 A.D.J.-II-cum-Special Judge, Excise Act, Muzaffarpur in connection with Sitamarhi P.S. Case no. 155 of 2018.

(Prakash Chandra Jaiswal, J)

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