

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25020 of 2018

Arising Out of PS.Case No. -13 Year- 2018 Thana -GOVERNMENT OFFICIAL COMP. District -
LAKHISARAI

- =====
1. Suraj Kumar Son of Phool Chand Mandal
 2. Sunil Ram Son of Binod Ram Both are Resident of Village- Manitar,
Ward No. 31, P.S. Dhansar, District- Dhanbad.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Anuj Kumar

For the Opposite Party/s : Mr. Md. Sufiyan

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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 a case registered for the
offence punishable under Sections 30(a), 32(1), 38(1) and 41(2) of
the Bihar Prohibition and Excise Act, 2016.

318.240 litres of foreign liquor is said to have been
recovered from the Tata Magic vehicle and the petitioners sitting
in the said vehicle were apprehended.

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. Petitioner no.1 happens to be



driver of the said vehicle while petitioner no.2 khalasi of the said vehicle. They were simply carrying the aforesaid liquor loaded on the vehicle in the carton by its owner Santosh Kumar Jha without knowing the contents of the carton. They have no criminal antecedent. They have been languishing in custody since 09.02.2018.

Considering the facts aforesaid, 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 Addl. District and Sessions Judge-II cum Special Judge, Lakhisarai in connection with Case No. 13C2/2018.

(Prakash Chandra Jaiswal, J)

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