

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21721 of 2018

Arising Out of PS. Case No.-42 Year-2018 Thana- KHAGARIA District- Khagaria

-
1. Kundan Kumar Son of Nawal Kishore Roy Resident of Village- Bharso, Police Station- Parbatta, District- Khagaria
 2. Shivesh Kumar Son of Bipin Jha@ Bipin Kumar Jha Resident of Village- Khurd Dumaria, Police Station- Parbatta, District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Viveka Nandsingh
For the Opposite Party/s : Mr. Manoj Kumar - 1

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 17-04-2018 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners seek bail in connection with Khagaria
(Chitragupta Nagar) P.S. Case no. 42 of 2018 registered under
Section 30 (a) of Bihar Prohibition & Excise Act-2016.

48.780 lts. of foreign liquor is said to have been
recovered from a car and the motorcycle and petitioner and two
other accused persons who were sitting in 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



either with the seized liquor or with the car in question. As a matter of fact, the petitioners happen to be simple commuter of the said car and had no knowledge of keeping the said liquor in the aforesaid car. They have been falsely implicated in the case at the instance of their enemies. Petitioner no. 2 has no criminal antecedent while case under Section 399 and other allied Section of I.P.C. and Arms Act has been instituted against the Petitioner no. 1, but he is on bail in the said case. They have been languishing in custody since 27.01.2018.

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 Special Judge, Excise, Khagaria in connection with Khagaria (Chitragupta Nagar) P.S. Case no. 42 of 2018.

(Prakash Chandra Jaiswal, J)

rohit/-

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

