

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7437 of 2018

Arising Out of PS.Case No. -798 Year- 2017 Thana -BARACHATTI District- GAYA

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1. Pankaj Kumar, S/o Late Ram Chandra Ray, R/o Village- Chasi, P.S.- Narayan Pur, Distt.- Bhojpur at Ara.
 2. Santosh Kumar Ray S/o Ram Briksh Ray, R/o Village- Bagar, P.S.- Sikrahata, Distt.- Bhojpur at Ara.

.... Petitioners.

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shambhu Nath Thakur
For the Opposite Party/s : Mr. Bhanu Pratap Singh

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

02 13-02-2018 Heard learned counsel for the petitioners and learned APP for the State.

The petitioners seek bail in Barachatti P.S. Case No. 798 of 2017 registered under Section 30 A/38/47 of the Bihar Prohibition and Excise Act, 2016.

262.50 liters of foreign liquor is said to have been recovered from the Hyundai car and its driver, namely, Pankaj Kumar and one other persons, namely, Santosh Kumar sitting in the said car 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. Petitioner



no.1-Pankaj Kumar is the driver of the aforesaid car while petitioner no.2-Santosh Kumar is the commuter of the same. The said vehicle is hailing to one Lahaso Devi. They had no knowledge of keeping the said liquor on the vehicle. They have been falsely implicated in this case. They have no criminal antecedent. They have been languishing in custody since 21.12.2017.

In the facts and circumstances of the case, 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 Special Judge Excise, Gaya in connection with Barachatti P.S. Case No.798 of 2017.

(Prakash Chandra Jaiswal, J)

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