

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31397 of 2018

Arising Out of PS.Case No. -68 Year- 2018 Thana -PATNA GRP CASE District- PATNA

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1. Mahesh Sahni, S/o Dilkeshwar Sahni, R/o Cheerapurtara, P.S.- Jandaha,
District- Vaishali.

2. Vijay Kumar, S/o Mahesh Sahni, R/o Cheerapurtara, P.S.- Jandaha,
District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Indu Bhushan

For the Opposite Party/s : Mr. Sri Kanhaiya Kishore

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

ORAL ORDER

2 22-05-2018 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 Section 273/34 of the Indian Penal Code
and Section 30 (a) of the Bihar Prohibition and Excise Act, 2016.

33 liters of foreign liquor is said to have been
recovered from the possession of petitioner, Mahesh Sahni and 36
litres from the petitioner Vijay Kumar on the platform no. 2 of
Patna Junction.

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. They are laboureres and were carrying bags as a labourer and had no knowledge of the contents of the said bags. The owner of the bags managed to escape seeing the police party. They have no criminal antecedent and have been languishing in custody since 08.03.2018.

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, Patna in connection with Special Case No. 2090/2018, arising out of Patna Junction P.S. Case No. 68 of 2018.

(Prakash Chandra Jaiswal, J.)

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