

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33994 of 2018

Arising Out of PS.Case No. -291 Year- 2018 Thana -BARACHATTI District- GAYA

- =====
1. Sanjay Chaudhary Son of Akhilesh Choudhary Resident of Village Satbag Chandi, P.S. Chandi, Distt. Nalanda.
 2. Akhilesh Kumar Son of Ranjit Malakar Resident of Village- Kadirganj, P.S. Kadirganj, Distt. Nawada.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Pramod Kumar Verma

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

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

3 20-06-2018 Heard learned counsel for the petitioners and learned APP for the State.

Petitioners seek bail in a case registered for the offence punishable under Sections 30(a), 38 and 47 of the Bihar Prohibition and Excise Act, 2016.

171 litres of foreign liquor is said to have been recovered from the box made in the Maxi Truck and the petitioner no.1 Sanjay Chaudhary who happens to be its driver and petitioner no.2 Akhilesh Kumar commuter of 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. They had also no knowledge of keeping of the aforesaid liquor in the box made in the said vehicle by its owner. Petitioner no.1 Sanjay Chaudhary happens to be driver of the said vehicle and he was plying it as per the instruction of its owner while petitioner no.2 Akhilesh Kumar was sitting on the said vehicle taking lift from its driver. They have no criminal antecedent. They have been languishing in custody since 02.05.2018.

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 Special Judge cum Additional Sessions Judge, Gaya in connection with Barachatti P.S. Case No. 291 of 2018.

(Prakash Chandra Jaiswal, J)

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