

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37043 of 2018

Arising Out of PS. Case No.-94 Year-2018 Thana- CHAKIA District- East Champaran

1. Manjit Kumar son of Suresh Kumar @ Suresh Pawar resident of village - Bahadurgadh, P.S. Bahadurgadh Lukasar, District Jhajhar (Haryana).
2. Sumit son of Sundarlal resident of village - Japharpur, P.S. Japharpur, District Najaphgadh (Delhi).

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma
For the Opposite Party/s : Smt. Nirmala Kumari

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

3 03-07-2018 Heard learned counsel for the petitioners and learned APP for the State.

The petitioners seek bail in connection with Chakiya P.S. Case No. 94 of 2018 registered under Sections 272, 273, 290, 414, 467, 468, 420 of I.P.C. and Sections 30(a), 50(G), 57, 60 of Bihar Prohibition and Excise Act-2016.

180 lts. of foreign liquor is said to have been recovered from Maruti van and petitioner along with other accused, namely, Raghubir Yadav 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 vehicle in question. They happen to be simple commuter of the vehicle and was travelling in the same without any knowledge of keeping of liquor in the said vehicle. They have been falsely implicated in this case. They have no criminal antecedent. They have been languishing in custody since 18.05.2018. Similarly situated co-accused, namely, Raghubir Yadav has been enlarged on bail by a co-ordinate Bench of this Court vide order dated 02.07.2018 passed in Cr. Misc. no. 38080 of 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, Act, East Champaran, Motihari in in connection with Chakiya P.S. Case No. 94 of 2018.

(Prakash Chandra Jaiswal, J)

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