

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41225 of 2018

Arising Out of PS. Case No.-151 Year-2018 Thana- GOVINDGANJ District- East
Champaran

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1. Ajay Thakur son of Bhola Thakur,
 2. Manoj Kumar son of Ramayodhya Thakur, Both residents of
Village- Badharwa Kala, P.S.- Kotwa, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Sri Nagendra Prasad

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 11-07-2018 Heard the learned counsel for the petitioners and
State.

The petitioners are in custody in connection with Govindganj (Areraj) P.S. Case No. 151 of 2018 for the offence under Sections 272, 273 of the Indian Penal code and Section 30(a), 38 (1), 41(1) of the Bihar Prohibition and Excise Act.

Learned counsel for the petitioner submits that the petitioners have no criminal antecedent and they are in custody in connection with seizure of 63 liters liquor which was recovered from KUV Car. Learned counsel submits that nothing was recovered from the conscious possession of the petitioners, he further submits that nothing was recovered from the car of the petitioners . The liquor was found on road side in abandoned



condition. He further submits that seizure was not made in accordance with the requirement of Section 100Cr.P.C.

Considering the fact that the petitioners have no criminal antecedent and there is no recovery from their conscious possession, the petitioners, named above, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, East Champaran, Motihari, in connection with Govindganj (Areraj) P.S. Case No. 151 of 2018.

(Anil Kumar Upadhyay, J.)

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