

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44951 of 2018

Arising Out of PS. Case No.-76 Year-2018 Thana- INDUSTRIAL District- Bhagalpur

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1. Ajay Kumar @ Ajay Kumar Sharma, S/o Laxmi Sarma, R/o Vill./Mohalla- Bhartiya Nagar, Ward No. 26 and District- Saharsa.
 2. Md. Jahid S/o Md. Alam , R/o Vill./Mohalla- Sant Nagar Niyamat Tola Ward No.15, P.S. and District- Saharsa.
 3. Raju Kumar S/o Kailash Swarnkar , R/o Vill./ Mohalla- Bhartiya Nagar Ward No. 26, P.S. and District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subesh Sharma
For the Opposite Party/s : Mr. Ashok Kumar Singh 1

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 25-07-2018 As prayed, learned counsel for the petitioners is permitted to make necessary correction in the quantity of liquor as written in the bail petition.

Heard learned counsel for the petitioners and learned APP for the State.

The petitioners seek bail in connection with Industrial Area P.S. Case No. 76 of 2018 registered under Section 30/30(a) of Bihar Prohibition Excise Act, 2016.

134 lts. of foreign liquor is said to have been recovered from dickey of Indica car and petitioner Ajay Kumar @ Ajay Kumar Sharma who happens to be its driver and two other accused persons including the petitioner Md. Jahid, who



happens to be its commuter were apprehended.

It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from conscious physical possession of the petitioners. They have no concern with the seized liquor. Petitioner Ajay Kumar @ Ajay Kumar Sharma happens to be driver of the aforesaid car and petitioner Md. Jahid its commuter and they had no knowledge of keeping of liquor in the dickey of the said car by its owner. Petitioner Ajay Kumar @ Ajay Kumar Sharma was plying the aforesaid car as per instruction of its owner. They have been falsely implicated in this case. They have no criminal antecedent. They have been languishing in custody since 01.06.2018.

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 Additional District and Sessions Judge-II-cum-Special Judge Excise, Bhagalpur in connection with Industrial Area P.S. Case No. 76 of 2018.

(Prakash Chandra Jaiswal, J)

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