

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.43430 of 2018

Arising Out of P.S.C.ase No. -101 Year- 2018 Thana -CHAKIA District-
EASTCHAMPARAN(MOTIHARI)

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1. NANDLAL KUMAR S/o Late Jai Lal Rai Resident of Village- Ganj
Gaurihar P.S. Sakra District Muzaffarpur.

2. Chunnu Sah S/o Late Maujelal Sah Resident of Village- Madhaur P.S.
Kudhani District Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhannjay Kumar No 2, Advocate

For the Opposite Party/s : Smt. Renuka Ratnakar, APP

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

2 19-07-2018 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners seek bail in Chakiya P.S. Case No.
101/2018, registered under Sections 30(a), 50(G), 57 and 60 of the
Bihar Prohibition and Excise Act, 2016.

10 cartons of foreign liquor is said to have been
recovered from the Scorpio and six accused persons including the
petitioner were apprehended from the said Scorpio while 4500
litres of foreign liquor has been recovered from a truck following
the said Scorpio. The driver and co-driver of the said truck 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 either with the seized liquor or with the vehicle in question. They happen to be simple commuter of the Scorpio and they were travelling in it without knowing keeping of the liquor in it. They have no concern with the truck unfortunately following the Scorpio. They have no criminal antecedents and have been languishing in custody since 25.05.2018. Similarly situated co-accused, namely, Indrajeet Kumar, who was also apprehended by the police from the Scorpio, has been granted bail by a co-ordinate Bench of this Court in Cr. Misc. No. 40886/2018 dated 12.07.2018.

Considering the facts aforesaid, the above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned 7th Additional and Sessions Judge-cum-Special Judge, Excise, East Champaran at Motihari, in connection with Chakiya P.S. Case No. 101/2018.

(Prakash Chandra Jaiswal, J.)

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