

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47875 of 2018

Arising Out of PS.Case No. -400 Year- 2018 Thana -HAJIPUR SADAR District-
VAISHALI(HAJIPUR)

- =====
1. Nishan Singh, Son of Late Jeet Singh, resident of village – Rajpura Sahar, P.S.-Rajpura, District-Patiyala, Punjab.
 2. Daljeet Singh, Son of Late Balvir Singh, resident of village – Pind Lopoke, P.S.-Lopoke, District – Amritsar, Punjab.
 3. Birendra Singh, Son of Jasbir Singh, resident of village – New Officer Colony (Khaidkheri), P.S.-Gandageri, District-Patiyala, Punjab.
- Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Parmanand Prasad

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

2 06-08-2018 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) and 38(1) of the Bihar Prohibition and Excise Act, 2016.

90 litres of foreign liquor is said to have been recovered from the dickey of the Breeza car and the petitioner no.1 Nishan Singh who happens to be its driver and two other petitioners sitting in the said car 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 have been falsely implicated in the case at the instance of their enemies. Petitioner no.1 Nishan Singh happens to be driver of the said car and was plying the same as per the instruction of its owner without any knowledge of keeping of the liquor in the dickey of the said car by its owner while petitioners Daljeet Singh and Birendra Singh happen to be commuter of the said vehicle and they had also no knowledge of keeping of the liquor in the said car. They have no criminal antecedent. They have been languishing in custody since 24.06.2018.

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 2nd Addl. Sessions Judge cum Special Judge, Excise, Hajipur, Vaishali in connection with Hajipur Sadar P.S. Case No. 400 of 2018.

(Prakash Chandra Jaiswal, J)

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