

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48736 of 2018

Arising Out of PS.Case No. -464 Year- 2018 Thana -NAWADA District- NAWADA

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1. Subodh Kumar @ Gangadhar Son of Sri Barun Singh Resident of Village- Kuhila, P.S. Akbarpur, District- Nawada.
 2. Rajneesh Kumar Son of Ram Vilash Singh Resident of Village- Rataoi, P.S. Roh, District- Nawada.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajeev Nayan

For the Opposite Party/s : Mr. Smt. Suman Kumari Singh

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 09-08-2018 Heard learned counsel for the petitioners and learned APP for the State.

Petitioners seek bail in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

103 litres of foreign liquor is said to have been recovered from the dicky of the car and the petitioners were apprehended from the said car.

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 vehicle in question. They



happen to be simple commuter and were regressing to their house after watching movie by the said car without any knowledge of keeping of the liquor in its dickey by its driver who managed to escape leaving the aforesaid liquor laden vehicle there seeing the police personnel. There is violation of Section 100 Cr.P.C. petitioner no.1 has no criminal antecedent. Though one more criminal case has been lodged against petitioner no.2, but he is on bail in the aforesaid case. They have been languishing in custody since 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/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Addl. Sessions Judge-II cum Special Judge, Nawada in connection with Nawada Town P.S. Case No. 464 of 2018.

(Prakash Chandra Jaiswal, J)

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