

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52350 of 2018

Arising Out of PS.Case No. -600 Year- 2018 Thana -DEHRI TOWN District- SASARAM
(ROHTAS)

- =====
1. Sunny Kumar, S/o. Late Gopal Sagh, Resident of Mohalla- Barah Pathar Padaw, Dehri (Sabji Mandi), Police Station- Dehri, District- Rohtas.
 2. Amarjeet Chaudhary, S/o. Ramashish Chaudhary, R/o. Mohalla- Barah Pathar, Ward No. 36, Dehri, P.S.- Dehri, District- Rohtas.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Rajani Kant Singh

For the Opposite Party/s : Smt Renu Kumari

=====

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 25-08-2018 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners seek bail in a case registered for the offence punishable under Sections 30(a), 38(i) (ii) and 41 (i) (ii) of the Bihar Prohibition and Excise Act, 2016.

580.5 litres of foreign liquor and 174 litres of country made liquor are said to have been recovered from dilapidated house located in the Sabji Mandi and petitioners were apprehended in course of escaping from Sabji Mandi.

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 place of recovery or any trade of liquor. They have been falsely implicated in this case by the police merely on suspicion while they were passing through the place of occurrence at the time of occurrence. There is nothing on record indicating the complicity of the petitioner barring the alleged confessional statement of the petitioners recorded by the police in the written report, which has no evidentiary value in the eye of law. There is violation of Section 100 Cr.P.C. They have no criminal antecedent. They have been languishing in custody since 01.07.2018.

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 2nd Additional District and Sessions Judge cum Special judge, Excise, Rohtas at Sasaram in connection with Dehri (T) P.S. Case No. 600 of 2018.

(Prakash Chandra Jaiswal, J)

Kr. Uday/-

U		T	
---	--	---	--

