

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53956 of 2018

Arising Out of PS.Case No. -180 Year- 2018 Thana -MADANPUR District- AURANGABAD

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1. Sumit Singh, Son of Ajay Singh, Resident of Village- Japla, P.S.- Husainabad, District- Plamu (Jharkhand).
 2. Rohit Kumar Son of Kamal Kishor Singh, R/o. Village- Bermu, P.S.- Fusro, District- Bokaro (Jharkhand).

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Leelawati Kumari

For the Opposite Party/s : Mr. Rajendra Prasad Nat

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

2 31-08-2018 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 Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

87.81 litres of foreign liquor is said to have been recovered from the Maruti Suzuki Wagon R car and 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 either with the seized liquor or with the vehicle in



question. They happen to be simple commuter and were traveling by it taking lift from its driver without knowledge of keeping of the said liquor in the car and the driver managed to escape leaving liquor laden car there seeing the police personnel. There is violation of Section 100 Cr.P.C. They have no criminal antecedent. They have been languishing in custody since 21.07.2018.

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 Additional Sessions Judge- VII cum Special Judge, Excise Act, Aurangabad in connection with Madanpur P.S. Case No. 180 of 2018.

(Prakash Chandra Jaiswal, J)

Kr. Uday/-

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