

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.72424 of 2018**

Arising Out of PS. Case No.-346 Year-2018 Thana- MAIRWAN District- Siwan

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1. Naushad Ali Son of Munna Miya @ Munna.
  2. Sandip Kumar Son of Hiralal Manjhi, Both Resident of Village-  
Bangali Pakadi, Police-Station-Siwan Mufasil (Mahadeva O.P.),  
District-Siwan.)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Shambhu Prasad Yadav

For the Opposite Party/s : Mr. Smt. Asha Devi

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**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

2      13-12-2018                      Heard the learned counsel for the petitioners and the  
learned counsel for the State.

The petitioners seek regular bail in connection with  
Mairwa PS case no. 346 of 2018 registered for the offence  
punishable under Sections 272, 273, 308/34 of Indian Penal  
Code and 30(A), 38(1), 41(1) of Bihar Prohibition and Excise  
Act, 2016.

The allegation is regarding recovery of 406.80 ltrs. of  
illicit liquor from the Bolero vehicle and the petitioner is said to  
be apprehended from the said vehicle along with other  
co-accused persons.

The learned counsel for the petitioners submits that  
the petitioner is neither the owner of the said vehicle nor he was



driving the said vehicle and was mere a chance passenger who had taken lift on the said vehicle. It is further submitted that petitioners are having clean antecedents and they are languishing in custody since 07.09.2018.

Having regard to the facts and circumstances of the case, I deem it fit and proper to enlarge the petitioners on regular bail.

Accordingly, the abovenamed 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 Additional Sessions Judge IInd-cum-Special Judge, Excise, Siwan in connection with Mairwa PS case no. 346 of 2018.

**(Mohit Kumar Shah, J)**

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