

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46403 of 2018

Arising Out of PS. Case No.-278 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- Purnia

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1. Chhotu Kumar Paswan @ Chhoutu Kumar Paswan, Son of Shambhu Paswan, R/o Village Dilli Diwanganj, P.S.- Amdabad, District- Katihar.
 2. Vishal Kumar Paswan, Son of Jhalo Paswan @ Jharo Paswan, R/o Village- Teengachiya, P.S.- Nagar Katihar, District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dr. Bidhu Ranjan
For the Opposite Party/s : Mr. Arun Kumar Singh -5

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

3 08-08-2018 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners seek bail in connection with Case
no. C1-278 of 2018 registered under Section 30(a) of Bihar
Excise and Prohibition Act-2016.

287.520 lts. of foreign liquor is said to have been
recovered from cell of the pick-up van and petitioner Vishal
Kumar Paswan happens to be its driver while Chhotu Kumar
Paswan @ Chhoutu Kumar Paswan its khalasi were
apprehended and its owner, namely, Anjum Alam
managed to escape.

It is submitted by learned counsel for the



petitioners that no incriminating article has been recovered from conscious physical possession of the petitioners. They have no concern with the seized liquor. They happen to be driver and cleaner respectively, of the aforesaid van and were simply plying the aforesaid van as per instruction of its owner without any knowledge of keeping of liquor in the cell of the said van by its owner, who managed to escape seeing personnel of Excise Department. There is no compliance of Section 100 Cr.P.C. They have no criminal antecedent. They have been languishing in custody since 25.06.2018.

In the facts and circumstances of the case, the above named petitioners are directed to be enlarged on bail on furnishing bail bonds 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, Excise Act, Purnea in connection with Case no. C1-278 of 2018.

(Prakash Chandra Jaiswal, J)

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