

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12851 of 2018

Arising Out of PS.Case No. -40 Year- 2018 Thana -BAUSI District- PURNIA

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1. Subham Kumar, Son of Suresh Prasad Sah,
 2. Sandeep Kumar Poddar @ Pampam Kumar, Son of Ram Kumar Poddar, Both are resident of Village Jadiya, Ward No. 03, Police Station- Jadiya, District- Supaul.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Thakur, Advocate.

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP.

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 07-03-2018 Heard learned counsel for the petitioners and learned APP for the State.

The petitioners seek bail in Special Excise Case No. 116 of 2018 arising out of Baisi P.S. Case No. 40 of 2018 registered under Sections 272 and 273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

71.250 litres of foreign liquor is said to have been recovered from the Maruti Celerio Car and the petitioners, namely, Subham Kumar and Sandeep Kumar Poddar @ Pampam Kumar who happen to be driver of 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. The aforesaid petitioners have no concern with the seized liquor. The aforesaid car is hailing to Md. Rabban and the petitioner no.2 Sandeep Kumar Poddar @ Pampam Kumar is the driver of the said car while petitioner no.1 Subham Kumar is simple commuter. They had no knowledge of keeping of aforesaid liquor in the said car by its owner. They have no criminal antecedent. They have been languishing in custody since 15.02.2018.

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) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-III cum Special Judge (Excise), Purnia in connection with Special Excise Case No. 116 of 2018 arising out of Baisi P.S. Case No. 40 of 2018.

(Prakash Chandra Jaiswal, J)

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