

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46438 of 2018

Arising Out of PS.Case No. -138 Year- 2018 Thana -GOVERNMENT OFFICIAL COMP. District-
GOPALGANJ

- =====
1. Kuldeep Singh, Son of Late Shri Niwas Pandit, resident of village – Sonipat, P.S.-Sonipat, District-Sonipat (Haryana).
 2. Narendra Dhanakar @ Narendra Dharkan, Son of Late Rikshapal Singh, resident of village – Kubarh, P.S.-Ganaur, District-Sonipat (Haryana).
 3. Ashish Dahiya, Son of Rabindra Dahiya, resident of village – Guddhi Bala, P.S.-Kundali, District-Sonipat (Haryana)

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Dubey

For the Opposite Party/s : Mr. Ram Bachan Singh

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

2 31-07-2018 Heard learned counsel for the petitioners and learned APP for the State.

Petitioners seek bail in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

187.500 litres of foreign liquor is said to have been recovered from the car and the petitioner no.1 Kuldeep Singh who happens to be driver of the said car and petitioner nos.2 and 3 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 car in question. They have been falsely implicated in the case by the police merely on suspicion while they were passing through the place of occurrence at the time of occurrence after offering worship in the temple and real culprit managed to escape seeing the police party leaving the aforesaid liquor laden car. There is violation of Section 100 Cr.P.C. He has no criminal antecedent. He has been languishing in custody since 22.06.2018.

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 Addl. Sessions Judge-II cum Special Judge, Gopalganj in connection with Excise Complaint Case No. 138 of 2018.

(Prakash Chandra Jaiswal, J)

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