

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44608 of 2018

Arising Out of PS.Case No. -77 Year- 2018 Thana -BIHRA District- SAHARSA

=====

1. Mukesh Kumar, S/o. Parmeshwar Mandal, Resident of Village- Triveniganj, Ward No. 13, P.S.- Triveniganj, District- Supaul.

2. Baiju Kumar Son of Rajendra Yadav, Resident of Village- Malhad, Ward No. 14, P.S.- Supaul, District- Supaul.

.... Petitioners.

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar No-1

For the Opposite Party/s : Mr. Brajendra Nath Pandey

=====

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

2 24-07-2018 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 Sections 30 (a), 38(i) and 41(i) of the Bihar Prohibition and Excise Act, 2016.

1091.85 liters of foreign liquor is said to have been recovered from Bolero Pick-up Van and petitioners along with other accused person sitting in the 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 the vehicle in question. They have been



falsely implicated in this case by the police merely on suspicion while they were passing through the place of occurrence at the time of occurrence. The driver of the said vehicle, namely, Md. Taj was also apprehended by the police. Said Md. Taj has been enlarged on bail by a coordinate Bench of this Court in Cr. Misc. No. 41308 of 2018 vide order dated 11.07.2018. They have no criminal antecedent and have been languishing in custody since 25.04.2018.

In the facts and circumstances of the case, 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-cum-Special Judge Excise Act, Saharsa in connection with Bihara P.S. Case No.77 of 2018.

(Prakash Chandra Jaiswal, J)

Trivedi/Uday

U		T	
---	--	---	--

