

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.50293 of 2018**

Arising Out of PS.Case No. -42 Year- 2018 Thana -HARPUR District- MUNGER

=====

1. Sonu Kumar, Son of Siban Yadav,  
2. Amit Kumar, Son of Ravindra Yadav, Both Resident of Village- Chhoti  
Mirzapur, P.S.- Kasim Bazar, District- Munger.

.... .... Petitioners.

Versus

The State of Bihar.

.... .... Opposite Party

=====

**Appearance :**

For the Petitioners : Mr. Surendra Kishore Thakur, Adv.

For the Opposite Party : Mr. Md. Arif, APP.

=====

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA  
JAISWAL**

**ORAL ORDER**

2      14-08-2018      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) and 32 of the Bihar Prohibition and Excise Act, 2016.

76 liters of country made and foreign liquor is said to have been recovered from the pickup van and petitioner Sonu Kumar who happens to be the driver and Amit Kumar who happens to be the *Khalasi* of the aforesaid vehicle 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 with the seized liquor. They have been falsely implicated in this case.



- 2 -

They happen to be driver and *khalasi* of the aforesaid pickup van and had no knowledge of keeping of the liquor in the box made in the trailer of the pickup van by its owner. There is violation of Section 100 Cr.P.C. They have no criminal antecedent and have been languishing in custody since 02.07.2018.

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-II-cum-Special Judge Excise, Munger in connection with Harpur P.S. Case No. 42 of 2018.

**(Prakash Chandra Jaiswal, J)**

Trivedi/R.Ranjan-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

