

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51969 of 2018

Arising Out of PS.Case No. -234 Year- 2018 Thana -SAHPUR District- BHOJPUR

- =====
1. Raj Kishor Choudhary, S/o. Dina Nath Choudhary, R/o. Village-Suhiya,
 2. Radha Krishna Pandey @ Kariya Pandey, S/o. Shiv Narayan Pandey, R/o. Village- Sonaki, both are P.S.- Shahpur, District- Bhojpur.
- Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shiv Prasad Gupta

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

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

2 24-08-2018 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 Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

112.320 litres of foreign liquor is said to have been recovered from the Pick up Van and petitioners sitting in the said 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 either with the seized liquor or with the vehicle in question. They happen to be simple commuter of the said vehicle



and were travelling without knowledge of keeping of the said liquor in the vehicle by its driver who managed to escape leaving liquor laden vehicle there seeing the police personnel. They have been falsely implicated in the case. There is violation of Section 100 Cr.P.C. They have no criminal antecedent. They have been languishing in custody since 28.07.2018.

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 Special Judge, Excise, Bhojpur at Ara in connection with Shahpur (Karnamepur O.P.) P.S. Case No. 234 of 2018, Excise Case No. 1215 of 2018.

(Prakash Chandra Jaiswal, J)

Kr. Uday/-

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