

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26835 of 2018

Arising Out of PS. Case No.-55 Year-2018 Thana- DAGARUA District- Purnia

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1. Jitendra Kumar Paswan, Son of Late Sinkander Paswan,
 2. Mithilesh Kumar Sah, Son of Late Maha Prasad Sah, Both are resident of Village- Maldiha, Police Station- Barhara, Kothi, District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Kumar

For the Opposite Party/s : Mr. Shailendra Kumar -1

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 03-05-2018 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners seek bail in connection with Dagarua P.S. Case no. 55 of 2018 registered under Sections 272, 273 of I.P.C. and Section 30(a) of Bihar Prohibition & Excise Act-2016.

135 lts. of foreign liquor is said to have been recovered from dickey of Optra Magnum Chevrolet car and petitioner no. 1 (Jitendra Kumar Paswan) who happens to be its driver while petitioner no. 2 (Mithilesh Kumar Sah) its commuter were apprehended.

It is submitted by learned counsel for the petitioners that no incriminating article has been recovered from conscious



physical possession of the petitioners. They have no concern with the seized liquor. Petitioner no. 1 happens to be its driver while Petitioner no. 2 its commuter and both had no knowledge of keeping of the aforesaid liquor in the dickey of the car by its owner. They have no criminal antecedent. They have been languishing in custody since 09.04.2018.

In the facts and circumstances of the case, the above named petitioners are directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned 3rd Addl. Sessions Judge-cum-Special Judge, Excise, Purnea in connection with Dagarua P.S. Case no. 55 of 2018.

(Rajeev Ranjan Prasad, J)

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