

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42306 of 2018

- =====
1. CHANDAN KUMAR SAH, S/o Dularchand Sah, resident of Village- Uttar Palasi, P.S.- Narpatganj, District- Araria.
 2. Babloo Kumar Sah, S/o Ganga Pd. Sah, Resident of Vilage- Uttar Palasi, P.S.- Narpatganj, District- Araria.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Dhananjaya Nath Tiwari

For the Opposite Party/s : Mr. Parmanand Prasad

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

2 13-07-2018 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) and 38(1) of the Bihar Prohibition and Excise Act, 2016.

61.200 litres of foreign liquor is said to have been recovered from the dicky of the Swift Desire Car and four accused persons including the petitioners 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 with the seized liquor. Petitioner no.1 Chandan Kumar Sah happens to be driver of the said vehicle while petitioner no.2 Babloo Kumar Sah is commuter and they had no knowledge of keeping of the liquor in the dickey of the said vehicle by its owner. They have been falsely implicated in the case. Though one more criminal case has been lodged against each of the petitioners, but they are on bail in the aforesaid cases. They have been languishing in custody since 15.06.2018.

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 A.D.J.-II, Araria in connection with Jokihat P.S. Case No. 178 of 2018 giving rise to Special Case No. 697 of 2018.

(Prakash Chandra Jaiswal, J)

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