

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9733 of 2018

Arising Out of PS. Case No.-7 Year-2018 Thana- KARJAIN District- Supaul

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1. Sonu Kumar S/o Ganga Paswan
 2. Manoj Paswan S/o Mahendra Paswan Both are residents of Village - Bhim Nagar, P.S. - Birpur, District - Supaul.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar

For the Opposite Party/s : Mr. Rajkishore Singh

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 19-02-2018 Heard learned counsel for the petitioners and learned APP
for the State.

The petitioners seek bail in connection with Karjain P.S.
Case no. 7 of 2018 registered under Section 30(A) of the Bihar
Excise and Prohibition Act 2016.

261 lts. of Nepali liquor is said to have been recovered
from the tempo and its driver namely, Manoj Paswan and one
other accused persons namely, Sonu Kumar sitting in the said
tempo were apprehended while motorcycle proceeding ahead of
the tempo managed to escape.

It is submitted by the learned counsel for the petitioners
that no incriminating article has been recovered from their
conscious physical possession. Petitioner no. 2 (Manoj Paswan)



happens to be driver of the said tempo and the person on the motorcycle had loaded the gunny bag on his tempo on freight of Rs. 1000/- and said petitioner had no knowledge of contents of the gunny bag while petitioner no. 2 (Sonu Kumar) is merely commuter of the said tempo and had no knowledge of keeping the liquor in the said tempo. The said incriminating article is hailing to the motorcycle borne person who managed to escape seeing the police force. Though, one case under Excise Act has been lodged against the petitioners but they are on bail in the said case. They have been languishing in custody since 21.01.2018.

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 Additional Sessions Judge-II-cum-Special Judge, Excise, Supaul in connection with Karjain P.S. Case no. 7 of 2018.

(Prakash Chandra Jaiswal, J)

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