

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4135 of 2019

Arising Out of PS. Case No.-117 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- Patna

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1. Dharmendra Kumar, Son of Nanda Rai, Village- Deochak, P.S.- Raghapur, District- Vaishali
 2. Shubham Kumar, Son of Darogi Sharma, Village - Paharchak, P.S.- Chautham, Dist.- Khagaria

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar No2
For the Opposite Party/s : Mr. Umanath Mishra

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 28-01-2019 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are languishing in custody since 10.12.2018 in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

The prosecution case is that 105.840 litres of foreign liquor were recovered from a vehicle and two persons were apprehended who disclosed their name as Dharmendra Kumar and Subham Kumar (the petitioners).

It is submitted by learned counsel from the petitioners that the petitioners are neither the owner nor the driver of the vehicle in question. A statement has been made in paragraph



no.3 of the petition that the petitioners are not having any criminal antecedent.

Learned APP for the State submits that the recovery has been made from the petitioners.

Considering the fact that the prosecution report does not suggest that the vehicle in question is found to be registered in the name of the petitioners, coupled with statement made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent, let the above named petitioners be released 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 learned **Special Judge-Excise, Patna** in connection with **Special Case No.11687 of 2018** arising out of **Didarganj P.R. No.117 of 2018**.

(Dinesh Kumar Singh, J)

Deepak/Rahul/-

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