

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11987 of 2019

Arising Out of PS. Case No.-149 Year-2018 Thana- PHULWARIA District- Begusarai

1. Dharo Singh @ Dharo Kumar, aged about 25 years (male), S/o Shiv Nandan Singh, Resident of village-Jagatpura, P.S.- Matihani, District-Begusarai.
2. Sambhu Kumar Singh @ Sambhu Singh, aged about 45 years (Male), S/o Late Yadu Singh, Resident of village- Marachi, P.S.- Marachi, District-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jai Prakash Singh

For the Opposite Party/s : Mr. Nirmal Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 27-02-2019 Heard leaned counsels for the petitioners and
learned APP for the State.

The petitioners are languishing in custody since 03.11.2018 in a case registered for the offences punishable under Sections 120B and 414/34 of the Indian Penal Code and Section 30(a) of Bihar Prohibition and Excise Act, 2016.



The prosecution case is that the petitioners were apprehended while travelling on a motorcycle carrying 18 litres of Indian and foreign liquor. It is further alleged that recovery of 86 litres of illicit liquor was also made from a Scorpio and a Swift car.

It is submitted by learned counsel for the petitioners that for the recovery of 86 litres of illicit liquor, co-accused Munna Rai has been granted bail by a Co-ordinate Bench of this Court vide order dated 01.02.2019 passed in Cr. Misc. No.3544 of 2019. 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 conscious physical possession of the petitioners.

Considering the fact that the co-accused person from whom recovery of illicit liquor were made, has been granted bail by Co-ordinate Bench of this Court, 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 bond of Rs.10,000/- (ten thousand) each with two sureties of the like



amount each to the satisfaction of learned **Additional Session Judge-II-cum-Special Judge Excise Act, Begusarai** in connection with **Phulwariya P.S. Case No.149 of 2018.**

(Dinesh Kumar Singh, J)

Deepak/Rahul/-

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