

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17035 of 2019

Arising Out of PS. Case No.-212 Year-2018 Thana- SANGRAMPUR District- East
Champaran

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1. Naseem, Son of Md. Yakub, Resident of Village- Gadi Mimarpur, P.S.-
Murthal, Distt.- Sonipat (Haryana)
 2. Naushad, Son of Hakkimuddin, Resident of Village - Gadi Mimarpur, P.S.-
Murthal, Distt.- Sonipat (Haryana)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar

For the Opposite Party/s : Mr.Arun Kumar

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 28-03-2019 The petitioners seek bail in anticipation of their arrest in connection with Sangrampur P.S. Case No. 212 of 2018 dated 12.12.2018 instituted for the offences under Sections 272 and 273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition & Excise Act, 2016.

Huge quantity (3456 litres) of liquor is said to have been recovered from a truck which was intercepted.

The petitioner No. 1 is the owner of the truck and hails from Haryana, who had given the vehicle in question on power of attorney to petitioner No. 2.

It has been submitted on behalf of the petitioners that petitioner No. 2 had handed over the vehicle in question



to one Murtuja for the same being plied commercially. The petitioners were absolutely unaware of the consignment of liquor having been transported on the vehicle in question. There is no recovery of any incriminating material either from the possession or constructive possession of the petitioners.

Regard being had to the aforesaid facts, the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of four weeks from today, are directed to be released on bail on their furnishing bail bonds of Rs. 10,000/-(Ten Thousands) each with two sureties of the like amount each to the satisfaction of learned 7th Additional Sessions Judge-cum-Special Judge, Excise, Motihari, East Champaran in connection with Sangrampur P.S. Case No. 212 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Ashutosh Kumar, J)

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