

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30301 of 2019

Arising Out of PS. Case No.-43 Year-2019 Thana- BIHARIGANJ District- Madhepura

1. LOK NATH @ LOKNATH KUMAR Son of J.P. Das Resident of Murliganj, District- Madhepura
2. Laltu Kumar @ Lalan Kumar Son of Arvind Paswan Resident of Village - Kusha East, P.S.- Kumarkhand, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dinesh Prasad Verma

For the Opposite Party/s : Mr.Madan Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 09-05-2019 Heard both sides.

The petitioners apprehend their arrest in Bihariganj P.S. case No. 43 of 2019, Excise Case No. 165 of 2019, registered under Section 30(a) of Bihar Prohibition & Excise Act.

The informant intercepted a car, which was dragging two motor cycles, but the driver and two persons, who were sitting in the car, were started fleeing away. The driver of the car, namely, Sonu Kumar, was apprehended and he disclosed the names of petitions as the persons who managed to flee away. On search one bottle of Royal Stag whiskey, containing 750 ml, was recovered from under the seat of driver.



The learned counsel for the petitioners submits that the petitioners were travelling in the car but they were not aware of the facts that the driver had kept liquor in his seat.

Considering the facts aforesaid and nature of allegation made against the petitioners and the fact that one bottle containing 750 ml liquor was recovered from under the seat of the driver, the petitioners, above named, in the event of their arrest/ surrender before the court below within a period of four weeks from the date of receipt/ production of a copy of this order are directed to be enlarged on bail on their furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge, Excise Act, Madhepura in connection with Bihariganj P.S. case No. 43 of 2019, Excise Case No. 165 of 2019, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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