

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.52975 of 2019**

Arising Out of PS. Case No.-466 Year-2019 Thana- PATRAKARNAGAR District- Patna

1. Sanjit Kumar Son of Late Ram Ekbal Rai Resident of Village - Sabalpur, Pachhiyari Tola, P.S.- Sonpur, District - Saran, Bihar
2. Mukesh Kumar Son of Late Krishna Rai Resident of Village - Sabalpur, Pachhiyari Tola, P.S.- Sonpur, District - Saran, Bihar
3. Subhash Kumar Son of Suresh Singh Sahni Resident of Village - Chai Tola, Old Sabalpur, P.S.- Sonpur, District - Saran, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                            |   |                          |
|----------------------------|---|--------------------------|
| For the Petitioner/s       | : | Mr. Manish Kumar No.2    |
|                            |   | Mr. Gajendra Kumar Singh |
| For the Opposite Party/s : |   | Mr. Mukeshwar Dayal, APP |

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL**

ORAL ORDER

3      20-11-2019                      Heard learned counsel for the petitioners and learned  
APP for the State.

Petitioners seek bail in connection with Patrakar  
Nagar P.S. Case No. 466 of 2019 registered for the offence  
punishable under Sections 30(a) of Bihar Prohibition & Excise  
Act.

50.04 lts. of foreign liquor is said to have been  
recovered from a car and petitioners sitting on the said car were  
apprehended.

It is submitted by learned counsel for the  
petitioners that no incriminating article has been recovered from



conscious physical possession of the petitioners. Petitioner no. 1 happens to be driver of the aforesaid car while petitioner nos. 2 and 3 are commuters of the said car, who were going to their destination hiring the aforesaid car. They had no knowledge of keeping of liquor in the cartoon in the dickey of the car by its owner. Petitioners have no criminal antecedent and have been languishing in custody since 27.06.2019.

On the other hand, learned APP opposed the bail prayer of the petitioners.

In the facts and circumstances of the case, 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 Special Judge, Excise Act, Patna in connection with Patrakar Nagar P.S. Case No. 466 of 2019.

**(Prakash Chandra Jaiswal, J)**

rohit/-

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