

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28923 of 2017

Arising Out of PS.Case No. -702 Year- 2016 Thana -ARARIA District- ARRARIA

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Vijay Sah Son of Late Ajab Lal Sah, Resident of Village- Islampur,
Aambagan, P.S.- Islampur, District- UttarDinajpur (West Bangal).

.... Petitioner.

Versus

The State of Bihar

.... Opposite Party.

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Appearance :

For the Petitioner/s : Mr. Kundan Kumar Singh, Adv.

For the Opposite Party/s : Mr. Awadhesh Kumar Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

02 03-07-2017

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner seeks regular bail in connection with Araria
P.S. Case No.702 of 2016 (G.R. No.3457 of 2016) registered for
the alleged offences under Section 272 & 273/34 of the Indian
Penal Code and Sections 30/38 of the Excise Act, 2016.

As per the prosecution case, 117 liters of foreign
liquor and beer are said to have been recovered from a Tata Magic
vehicle while driver of the said vehicle managed to escape but the
petitioner was apprehended sitting in it.

It has been submitted by learned counsel for the
petitioner that no incriminating articles have been recovered from
the conscious physical possession of the petitioner. He has no
concern with the said vehicle. He has simply taken lift in the said



vehicle and, having no knowledge about the loading of the wines in the vehicle and has been unfortunately arrested by the police in the raid and has been falsely implicated in this case. He has been languishing in jail custody since 17.10.2016.

In the facts and circumstances of the case, the petitioner above named is directed to be enlarged on bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of like amount each to the satisfaction of learned Additional District Judge-I, Araria in connection with Araria P.S. Case No.702 of 2016 (G.R. No.3457 of 2016).

(Prakash Chandra Jaiswal, J.)

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