

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20296 of 2017

Arising Out of PS.Case No. -21 Year- 2017 Thana -PASRAHA District- KHAGARIA

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Shambhu Kumar, Son of Nageshwar Mandal, Resident of Village-
Garhmohani, Police Station- Gogri, District- Khagaria.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Singh, Advocate

For the Opposite Party/s : Mr. Surendra Kumar, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

4 20-06-2017 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

Petitioner is languishing in judicial custody since
20.02.2017 in connection with Pasraha P.S. Case No. 21 of
2017 registered for the offence punishable under Section
30(a) of the Bihar Excise (Amendment) Act and Section 34 of
the Indian Penal Code.

The prosecution case is that on secret
information, while informant along with other police
personnel intercepted a Pick-up Bolero vehicle, driver of the
said vehicle started to run away, but was apprehended. Two
persons sitting in the vehicle managed to flee away.



Thereafter, on search, informant recovered 468 bottles of foreign wine each of 1000 ML and 1152 bottles of foreign wine each of 180 ML from the said vehicle and thereafter seizure-list was prepared.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history and has been falsely implicated in the aforesaid case on suspicion and by way of conspiracy just because the petitioner is the owner of the vehicle and the driver is one Raju Kumar, who had taken the pick-up Bolero from the petitioner. He further submits that his vehicle was used by the other co-accused for transporting illegal liquor without his knowledge. It is further submitted that charge-sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence.

However, learned A.P.P. for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record as well as the period of custody, let the petitioner above named be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand only) with two



sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-II, Khagaria in connection with Pasraha P.S. Case No. 21 of 2017.

(Nilu Agrawal, J.)

Arjun/-

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