

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47964 of 2017

Arising Out of PS.Case No. -82 Year- 2017 Thana -KHANPUR District- SAMASTIPUR

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Sanjai Prakash @ Sanjay Prakash, son of Harishchand , R/o Mohalla- No. 135 Uday Vihar Part-3 Nilothi Nagloi, P.S.- Nihar Vihar, District- New Delhi. At present R/o Mohalla- 126, C Block Vishwas Park, Uttamnagar, D.K. Mohan Garden, West Delhi, Delhi-110059, P.S.- Paalam West Delhi, District- Delhi.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar

For the Opposite Party/s : Mr. Pramod Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 13-10-2017 Heard learned counsel for the petitioner.

This is an application for bail in connection with Khanpur P.S. Case No. 82 of 2017 registered for the offences punishable under Sections 30(a), 35(a), 38(i)(ii), 41(i)(ii) and 47 of Bihar Prohibition and Excise Act.

Allegation is of recovery of 2745 litres of liquor from the truck and petitioner is not named in the FIR and he is said to be owner of the truck.

Submission of learned counsel for the petitioner is that he has falsely been implicated in this case and he has nothing to do with the seized articles. Further submission is that the truck is in the name of Ramesh Kumar and thereafter petitioner has prepared



papers in his name after purchasing the same and further he is in custody for more than two months.

Heard learned APP also.

Having heard both sides and in view of the facts and circumstances, as stated above, I am not inclined to grant bail to the petitioner at this stage.

However, learned trial court is directed to look into the papers relating to ownership of the truck and if it is found that truck has been purchased by the petitioner after lodging the present case, the trial court will release the petitioner on bail to its own satisfaction on the condition that he will co-operate in trial.

With the above observation, this application is disposed of.

(Vinod Kumar Sinha, J)

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