

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No 56808 of 2017

Arising Out of PS.Case No. -59 Year- 2017 Thana -GOVERNMENT OFFICIAL COMP. District-
PATNA

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BHUPENDRA SINGH @ BHUPINDRA SINGH S/o Late Mohan Singh,
R/o A-34 Ranjit Avenue, Amritsar, P.S.- Civil Line, District- Amritsar.

.... Petitioner/s

Versus

The Union of India Through Commissioner of Custom, 5th Floor CR
Building, Birchand Patel Marg, Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr Ajay Kumar Thakur, Advocate with
M/s Shashank Shekhar, Pravin Kr, Ritesh
Kr & Rituraj Kr, Advocates

For the Opposite Party/s : Mr Anjani Kumar Sharan, Advocate

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

5 22-12-2017

Heard counsel for the petitioner as also the counsel
for the customs.

The petitioner is an accused in respect of offences
registered under Section 135 (1) (b) of the Customs Act, 1962.

It is submitted on behalf of the petitioner that the
petitioner is innocent and has falsely been implicated in this case.
He submits that the entire prosecution story is wrong and
incorrect. He submits that even if the recovery of gold seized
from the possession of the petitioner is taken to be true on its face
value, the same does not exceed to Rs 1 crore and, as such, the
offence is bailable and he prays for bail. It is further submitted



that the petitioner has no criminal antecedent prior to the instant case. It is an admitted position that enquiry in this case has been completed and complaint has been lodged post sanction and the petitioner is in custody since 20.10.2017.

Considering the aforesaid submission, petitioner's prayer for bail is allowed. The petitioner would be obliged to give undertaking to ensure his presence as and when required before the authorities or in the case. Petitioner could be released after submission of such undertaking and on submission of bail bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Special Judge, NIA –cum- Additional Sessions Judge IV, Patna in connection with Case No 59 (c) of 2017 arising out of Custom Unit Case No 18 of 2017-2018 subject to the condition that one of the bailors shall be close relative of the petitioner having sufficient property.

(Madhuresh Prasad, J)

M.E.H./-

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