

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7101 of 2018

Arising Out of PS.Case No. -96 Year- 2017 Thana -HATHAURI District- SAMASTIPUR

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1. Sanjeet Paswan @ Sanjeev Paswan, Son of Kailu Paswan, resident of Village- Dhobupur Bansara, Police Station- Hayaghat, District- Darbhanga, but wrongly mentioned in format of F.I.R. P.S. Hathwari, District- Samastipur.

.... Petitioner

Versus

1. The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad

For the Opposite Party/s : Mr. Pawan Kumar Chaurasiya

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 12-02-2018 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner seeks bail in connection with Hathauri P.S. Case No.96/2017 registered under Sections 272, 273, 467, 468, 471 of the Indian Penal Code and Sections 38, 47 and 30(a) of Bihar Prohibition and Excise Act, 2016.

198.975 liters of foreign liquor is said to have been recovered from a Scorpio vehicle of the petitioner, in which five other accused persons were sitting in the said car, who managed to escape.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in this case due to



animosity. The petitioner happens to be the driver of Scorpio vehicle and has no knowledge of the contents of the cartoons being transported by its commuters. He has no concern with the alleged seized liquor. The other co-accused persons namely Ram Lagan Sah and Sanjeev Kumar Yadav have been enlarged on bail by coordinate Bench in Cr. Misc. No.6279 of 2018 vide order dated 05.02.2018. The petitioner has got no criminal antecedent. He has been languishing in custody since 17.11.2017.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned 6th Additional Sessions Judge-cum-Special Judge, Excise Act, Samastipur, in connection with Hathauri P.S. Case No.96/2017.

(Prakash Chandra Jaiswal, J)

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