

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8007 of 2018

Arising Out of PS.Case No. -168 Year- 2017 Thana -NASRIGANJ District- SASARAM (ROHTAS)

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1. Sanjay Sah @ Sanjay Sav Son of late Firangi Sah Resident of Village-
(Sukahara) Dehri, P.S. Nasariganj, Dist. Rohtas.

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Nityanand

For the Opposite Party/s : Mr. Parmanand Prasad

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

2 13-02-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with Nasariganj
P.S. Case No.168/2017 registered under Section 30(a) of Bihar
Prohibition and Excise Act, 2016.

156.27 liters of foreign liquor is said to have been
recovered from the house of Jai Prakash Singh and said Jai
Prakash Singh was apprehended, who disclosed the name of
petitioner as one of his accomplice.

It is submitted by learned counsel for the petitioner that
no incriminating article has been recovered from the conscious
physical possession of the petitioner. The petitioner has been
falsely implicated in this case. He has no concern with the seized



liquor. There is nothing in the record indicating the complicity of the petitioner in the occurrence barring the confessional statement of co-accused, which has no evidentiary value in the eye of law. The petitioner has got no criminal antecedent. The said Jai Prakash Singh has been enlarged on bail by co-ordinate Bench of this Court in Cr. Misc. No. 52834 of 2017 vide order dated 09.11.2017. He has been languishing in custody since 23.10.2017.

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 2nd Additional Sessions Judge-cum-Special Judge, Excise, Rohtas at Sasaram, , in connection with Nasariganj P.S. Case No.168/2017.

(Prakash Chandra Jaiswal, J)

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