

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7048 of 2018

Arising Out of PS. Case No.-69 Year-2017 Thana- HAZIPUR INDUSTRIAL District-
Vaishali

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Chandan Kumar @ Golden @ Gold, Son of Sant Kumar Singh, Resident of Village-Narauli, P.S.-Salimpur, District-Patna. at Present residing at House No. 814, Ward No.14, Bhatgaon Colly, P.S.-Bhatgaon, District-Surajpur, State-Chhattisgarh.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha

For the Opposite Party/s : Mr. Vinod Shankar Modi

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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 Industrial Area P.S. Case no. 69 of 2017 registered under Sections 467, 468, 469, 470, 471, 420 of the Indian Penal Code and Sections 30, 37 of Bihar Prohibition & Excise Act-2016.

2738 lts. of foreign liquor is said to have been recovered from the contenor and its driver and cleaner were apprehended who disclosed the said liquor to be of petitioner.

It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from his conscious physical possession. He has no concern either with the



aforesaid vehicle or with the seized liquor. There is nothing in the record indicating the complicity of the petitioner in the occurrence barring the confessional statement of driver and cleaner of the vehicle. Said driver and cleaner namely, Mohit and Rajesh have been enlarged on bail by a co-ordinate Bench of this Court vide order dated 07.02.2017 passed in Cr. Misc. no. 29562 of 2017 and owner of the vehicle namely, Rajpal has been enlarged on bail by a co-ordinate Bench of this Court vide order dated 08.01.2018 passed in Cr. Misc. no. 62237 of 2017. He has been languishing in custody since 12.09.2017.

Considering the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge, Hajipur Vaishali in connection with Industrial Area P.S. Case no. 69 of 2017.

(Prakash Chandra Jaiswal, J)

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