

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2289 of 2018

Arising Out of PS.Case No. -312 Year- 2017 Thana -HUSAINGANJ District- SIWAN

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Niraj Singh, Son of Vidya Singh, Resident of Village- Alapur, Police Station- Pachrukhi, District- Siwan.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Singh

For the Opposite Party/s : Smt. Asha Devi

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 23-01-2018 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner seeks bail in connection with Hussainganj P.S. Case no. 312 of 2017 registered under Sections 272, 273, 308 of the Indian Penal Code and 30, 36, 38 and 41(1), 62 of Bihar Prohibition and Excise Act-2016.

518.400 kts. of foreign liquor is said to have been recovered from the house of Balindra Singh located in the orchard and accused Bittu @ Prakash Singh was apprehended there who disclosed the name of the petitioner and Balindra Singh having key of the said room .

It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from his conscious



physical possession. The petitioner has neither concern with the seized liquor nor with the key of alleged room. He has been falsely implicated in the case by the co-accused Bittu @ Prakash Singh due to animosity and the said Bittu @ Prakash Singh has been enlarged on bail by a co-ordinate Bench of this Court vide order dated 22.12.2017 passed in Cr. Misc. no. 59276 of 2017. The petitioner has been languishing in custody since 20.11.2017.

Considering the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Addl. Sessions Judge-II, Siwan in connection with Hussainganj P.S. Case no. 312 of 2017.

(Prakash Chandra Jaiswal, J)

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