

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21948 of 2018

Arising Out of PS.Case No. -5 Year- 2017 Thana -ECONOMIC OFFENCES, BIHAR District-
PATNA

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Anil Singh @ Anil Kumar S/o Late Ram Gulam Mahto, @ Hare Ram Gulam Singh Resident of Village-Masina, P.S.-Khanpur, District-Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar
2. The State of Bihar through Economic offence Unit, Bihar, Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s	: Mr. Krishna Prasad Singh, Sr. Advocate. Mr. Bhaskar Shankar, Advocate.
For EOU	: Mr. Akhileshwar Prasad Singh, Sr. Advocate. Mr. Vijay Anand, Advocate.
For the Opposite Party/s	: Mr. Bhanu Pratap Singh, APP.

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

2 17-04-2018 Heard learned counsel for the petitioner, learned counsel for Economic Offence Unit and learned APP for the State.

The petitioner seeks bail in Economic Offence P.S. Case No. 05 of 2017, Special Case No. 1194 of 2017 registered under Sections 272, 273, 467, 468, 471, 414 and 120(B)/34 of the Indian Penal Code and Sections 30(a), 38 and 41 of the Bihar Prohibition and Excise Act, 2016.

19 litres of foreign liquor is said to have been recovered from Innova car and two persons, namely, Tajindra Singh and Nishan Singh @ Sonu were apprehended from the said



car and on their disclosure, 3819 litres of foreign liquor is said to have been recovered from the truck. Nishan Singh @ Sonu divulged the name of 11 persons including the petitioner to whom the sample of the liquor loaded on the car was to be displayed to procure order for the liquor.

It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from the conscious physical possession of the petitioner. He has no concern either with the seized liquor or with the seized vehicle or with any trade of liquor. He was not apprehended on the spot. There is nothing in the record indicating the complicity of the petitioner barring the confessional statement of said accused Nishan Singh @ Sonu. Though two more cases under Excise Act have been lodged against the petitioner, but he is on bail in the aforesaid cases. Said Nishan Singh @ Sonu and one other accused Garib Nath Ojha @ Jugnu Ojha have been enlarged on bail by different co-ordinate benches of this court. The petitioner has been languishing in custody since 17.02.2018.

Considering the facts aforesaid, 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 the learned Special Judge,
Excise, Patna in connection with Economic Offence P.S. Case
No. 05 of 2017 Special Case No. 1194 of 2017.

(Prakash Chandra Jaiswal, J)

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