

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.20068 of 2018**

Arising Out of PS.Case No. -33 Year- 2017 Thana -BISHUNPUR District- DARBHANGA

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1. Hitesh Singh age about 26 Years, S/o late Shashi Singh @ Shashi Bhushan Singh, R/o Village- Dihrampur, P.S.- Bishanpur, District- Darbhanga.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Shama Sinha

For the Opposite Party/s : Mr. Panchanand Pandit

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

02 11-04-2018

Heard learned counsel for the petitioner and learned

APP for the State.

The petitioner seeks bail in G.O. Excise Case No.1017/2017, arising out of Bishanpur P.S. Case No. 33 of 2017, registered under Section 30 (a) of the Bihar Prohibition and Excise Act, 2016.

133.875 liters of foreign liquor is said to have been recovered from the Sumo Victa vehicle and its driver and occupants managed to escape.

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 was not



apprehended on the spot. He has no concern with the seized liquor or the seized vehicle. He has been falsely implicated in this case merely on confessional statement recorded by the police in Simri P.S. Case No.140 of 2017 which has no evidentiary value in the eye of law. He has no criminal antecedent and has been languishing in custody since 01.03.2018.

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 the learned Additional Sessions Judge-IV-cum-Special Judge, Darbhanga in connection with G.O. Case No.1017/17, arising out of Bishanpur P.S. Case No.33 of 2017.

**(Prakash Chandra Jaiswal, J)**

Trivedi/-

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