

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22365 of 2018

Arising Out of PS. Case No.-31 Year-2018 Thana- ARARIA District- Araria

Sushil Kumar, S/o Late Bindeshwari Sharma, resident of Kayestha Tola, Ward No. 28, P.S. & District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh

For the Opposite Party/s : Mr. Aditya Narayan Singh 1

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 17-04-2018 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner seeks bail in connection with Araria P.S. Case no. 31 of 2018 registered under Section 30(a), 36, 38 of Bihar Prohibition & Excise Act-2016.

68 lts. of foreign liquor is said to have been recovered from a Tiyago car and its driver namely, Md. Irfan and its commuter (petitioner) and others were apprehended.

It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from conscious physical possession of the petitioner. He has no concern with the seized liquor. He happens to be simple commuter of the said vehicle and had no knowledge of keeping the aforesaid liquor in



the said car. He has been falsely implicated in the case at the instance of his enemy. He has no criminal antecedent. He has been languishing in custody since 23.01.2018. Similarly situated co-accused namely, Niyaz Sagar has been enlarged on bail by a co-ordinate Bench of this Court vide order dated 13.03.2018 passed in Cr. Misc. no. 14175 of 2018.

In 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/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned 2nd Addl. District and Sessions Judge-cum-Special Judge, Araria in connection with Araria P.S. Case no. 31 of 2018.

(Prakash Chandra Jaiswal, J)

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