

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25429 of 2018

Arising Out of PS. Case No.-293 Year-2017 Thana- RAJIVNAGAR District- Patna

Roshan Kumar S/o Sri Bijendra Kuamr @ Birendra Kumar, R/o Vill.- Rajiv Nagar Road No.-18, Near Veer Kuwar Chowk, P.S.- Rajeev Nagar, District- Patna (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raja Surendra Mohan

For the Opposite Party/s : Mr. Ataur Rahman

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 02-05-2018 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner seeks bail in connection with Rajeev Nagar P.S. Case no. 293 of 2017 registered under Section 30(a) of Bihar Prohibition & Excise Act-2016.

174.250 lts. of foreign liquor is said to have been recovered from garage of Bhuvneshwar Nath Singh and from the hall, located behind the said garage on the disclosure of the petitioner and petitioner has also divulged that he along with other accused persons stored the liquor at the aforesaid place for vending.

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 either with the seized liquor or with the place of recovery or with any trade of liquor. He was apprehended in connection with some other case and remanded in this case on his alleged confessional statement, but he has not given any such statement. Moreover, seizure list does not bear the signature of the petitioner. He has been falsely implicated in the case at the instance of his enemy. Though one more criminal case has been lodged against the petitioner, but he has been enlarged on bail by learned lower court in the said case. He has been languishing in custody since 09.12.2017

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 Special Judge, Excise, Patna in connection with Rajeev Nagar P.S. Case no. 293 of 2017.

(Prakash Chandra Jaiswal, J)

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