

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26795 of 2018

Arising Out of PS. Case No.-157 Year-2017 Thana- KATEYA District- Muzaffarpur

Nawneet Kumar @ Nawneet Singh S/o Nagina Pd. Singh @ Nagina Prasad Singh, R/o Vill.- Govind Fulkaha @ Phulkahan Govind, P.S.- Kanti (Panapur O.P.), District- Muzaffarpur, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prabhat Kumar Singh

For the Opposite Party/s : Dr. Ajeet Kumar

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 03-05-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with Kathaiya P.S. Case no. 157 of 2017 registered under Sections 414, 307, 511, 34 of I.P.C. and Sections 30(A), 32(II), 38(II) of Bihar Prohibition & Excise Act-2016.

270 lts. of foreign liquor is said to have been recovered from Wagon R car and a person, namely, Manish Kumar sitting in the said vehicle was apprehended while driver managed to escape. During course of investigation, the name of the petitioner has surfaced in the case as the driver of the vehicle in question, on the information given by spy.

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 vehicle in question. He does not happen to be driver of said vehicle. He has been falsely implicated in the case at the instance of his enemy. He was not apprehended on the spot. Co-accused, Manish Kumar apprehended from the vehicle in question has also not named the petitioner in the occurrence. He has no criminal antecedent. He has been languishing in custody since 5.03.2018. Said Manish Kumar has been enlarged on bail by a co-ordinate Bench of this Court vide order dated 3.01.2018 passed in Cr. Misc. no. 60122 of 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, Muzaffarpur in connection with Kathaiya P.S. Case no. 157 of 2017.

(Prakash Chandra Jaiswal, J)

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