

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38198 of 2018

Arising Out of PS.Case No. -182 Year- 2018 Thana -SIWAN MUFFASIL District- SIWAN

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Bibhesh Kumar Singh @ Vibhesh Kumar Singh, son of Sri Digvijay Singh,
resident of village Dhanauti, P.S. Siwan Muffasil (Dhanauti O.P.), District
Siwan.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satyendra Rai

For the Opposite Party/s : Mr. Bal Mukund Prasad Sinha

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

02 29-06-2018 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in a case registered for the offence punishable under Sections 272, 273/34 of the Indian Penal Code and Section 30(A),38(i) of the Bihar Prohibition and Excise Act, 2016.

233.280 liters of foreign liquor is said to have been recovered from the Scorpio being transported by the petitioner and other accused persons who managed to escape on the motorcycle seeing the police party but were identified by the local Chaukidar and Dafadar during the course of escaping.

It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from the conscious



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physical possession of the petitioner. He has no concern either with the seized liquor or the motorcycle in question or any trade of liquor. He has been falsely implicated in this case by the Chaukidar and the Dafadar merely on suspicion while he was passing through the place of occurrence at the time of occurrence. He was not apprehended on the spot. He has no criminal antecedent and has been languishing in custody since 28.05.2018

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 District and Sessions Judge-2nd Siwan in connection with Siwan Muffasil (Dhanauti O.P.) P.S. Case No. 182 of 2018.

(Prakash Chandra Jaiswal, J)

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