

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47568 of 2018

Arising Out of PS. Case No.-31 Year-2018 Thana- BALIGAON District- Vaishali

Shiv Shankar Ray S/o Kamleshwar Ray, R/o Vill.- Khoajapur, P.S.- Baligaon,
District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh
For the Opposite Party/s : Smt Pushpa Sinha

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

ORAL ORDER

2 03-08-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with Baligaon P.S. Case No. 31 of 2018 registered for the offence punishable under Sections 419, 420, 120(B) of the Indian Penal Code and Sections 30(a), 32(2) 41(1) of Bihar Prohibition Excise Act, 2016.

27 lts. of foreign liquor is said to have been recovered from Alto car and petitioner was apprehended in the course of escaping from the said car.

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 car in question. He has been falsely implicated in this case by the police as he refused to become seizure list witnesses during the course of proceeding to his house which is located in the vicinity of the place of occurrence. There is no compliance of Section 100 Cr.P.C. He has no criminal antecedent. He has been languishing in custody since 12.06.2018.

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 Addl. Sessions Judge-II-cum-Special Judge, Vaishali at Hajipur in connection with Baligaon P.S. Case No. 31 of 2018.

(Prakash Chandra Jaiswal, J)

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