

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48746 of 2018

Arising Out of PS. Case No.-149 Year-2018 Thana- MUZAFFARPUR TOWN District-
Muzaffarpur

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Pankaj Kumar, Son of Kedar Thakur, resident of Village- Haridaspur, P.S.-
Kanti, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Hari Kishore Thakur
For the Opposite Party/s : Smt. Sahin Begam

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

ORAL ORDER

2 29-08-2018 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner seeks bail in connection with Town
P.S. Case No. 149 of 2018 registered for the offence punishable
Sections 272, 273 of I.P.C. and Sections 30(a), 37(c) of Bihar
Prohibition Excise Act, 2016 and Sections 25(1-b)a, 26 of the
Arms Act.

5 lts. of foreign liquor, one country made pistol and
two live cartridges loaded in its magazine are said to have been
recovered from the possession of the petitioner.

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 articles. He has been falsely implicated in the case by the police by planting aforesaid recovery from his possession as the petitioner and his father failed to cough up the illegal demand of graft made by the police personnel. There is no compliance of Section 100 Cr.P.C. He has no criminal antecedent. He has been languishing in custody since 03.03.2018. Earlier, the bail prayer of the petitioner was rejected by this Court with liberty to renew his prayer for bail after framing of charge and now the charge in the case has been framed on 11.07.2018.

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 Special Judge, Excise Act, Muzaffarpur in connection with Town P.S. Case No. 149 of 2018.

(Prakash Chandra Jaiswal, J)

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