

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47780 of 2018

Arising Out of PS.Case No. -112 Year- 2018 Thana -SISWAN District- SIWAN

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Manoj Kumar Patel @ Manoj Kumar, son of Shivji Prasad, resident of
village- Chainpur, P.S.- Siswan (Chainpur O.P.), District- Siwan

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ranjeet Kumar Pandey, Adv.

For the Opposite Party : Mr. Shailendra Kumar -2, A.P.P. - 61

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

ORAL ORDER

2 06-08-2018 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 323, 353, 279 and 332 of the
Indian Penal Code and Section 30 (A) and 38(1)/45 of the Bihar
Prohibition and Excise Act, 2016.

Petitioner is said to have been transporting the huge
quantity of liquor in his Wagon-R car and on apprehension of
petitioner with the vehicle he fled away with the said vehicle
dashing the constable on the pretext of taking drinking water. He
is having a Gumti in front of the premises of the Police Station .

It is submitted by learned counsel for the petitioner that
no incriminating article has been recovered from the conscious
physical possession of the petitioner. No such occurrence as



alleged ever took place. He has no concern with the aforesaid occurrence. He was not apprehended at the spot. As a matter of fact, petitioner is having a general merchandise Gumti in front of the Police Station and he refused to oblige the police personnel to accord them articles free of cost resultantly the police has falsely implicated the petitioner in this concocted and manufactured case. No one has sustained any injury. He has been languishing in custody since 27.06.2018.

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 A.D.J.-II-cum-Special Judge Excise, Siwan in connection with Siswan (Chainpur O.P.) P.S. Case No.112 of 2018.

(Prakash Chandra Jaiswal, J)

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