

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48836 of 2018

Arising Out of PS.Case No. -127 Year- 2018 Thana -BOCHHA District- MUZAFFARPUR

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1. Bablu Paswan @ Babalu Paswan, S/o Late Chandeshwar Paswan, R/o Village- Gharbhara, P.S.- Bochahan, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok

For the Opposite Party/s : Mr. Rajkishore Singh

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

02 09-08-2018 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 272, 273 and 414/34 of the Indian Penal Code and Section 30 (a), 32 (ii) and 38 (ii) of the Bihar Prohibition and Excise Act, 2016.

810 liters of foreign liquor is said to have been recovered from the pickup van and its driver, namely, Chintu Singh was apprehended and one another accused managed to escape. The apprehended accused named the petitioner and other accused persons as owner of the said liquor.

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



- 2 -

physical possession of the petitioner. He has no concern either with the seized liquor or the vehicle in question. He has been falsely implicated in this case on the confessional statement of apprehended accused Chintu Singh. Barring the said confessional statement, there is nothing on record indicating the complicity of the petitioner in the occurrence. He was not apprehended on the spot. Though one more case under the Excise Act has been lodged against the petitioner but he is on bail in the said case. He has been languishing in custody since 15.07.2018. Said Driver Chintu Singh @ Chintu Singh has been enlarged on bail by a coordinate Bench of this Court in Cr. Misc. No.39921 of 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 Special Judge Excise Act, Muzaffarpur in connection with Bochahan P.S. Case No. 127 of 2018.

(Prakash Chandra Jaiswal, J)

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