

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49671 of 2018

Arising Out of PS. Case No.-120 Year-2018 Thana- GURUA District- Gaya

Niranjan Kumar S/o Kapil Chaudhary, R/o Vill.- Tandawa, P.S.- Gurua,
District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amod Kumar Singh

For the Opposite Party/s : Mr. Dinesh Singh

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

ORAL ORDER

2 13-08-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with Gurua
P.S. Case no. 120 of 2018 registered for the offence punishable
under Sections 272, 273 of I.P.C. and Section 30(D) of the Bihar
Prohibition and Excise Act, 2016.

50 Kg. Mahua is said to have been recovered from
motorcycle of the petitioner and he was apprehended.

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 article. He has been falsely implicated in this case by
the police merely on suspicion while he was passing through the



place of occurrence at the time of occurrence and real culprits managed to escape dumping the aforesaid article there seeing the police party. There is no compliance of Section 100 Cr.P.C. He has no criminal antecedent. He has been languishing in custody since 05.07.2018.

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, Gaya in connection with Gurua P.S. Case no. 120 of 2018.

(Prakash Chandra Jaiswal, J)

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