

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50702 of 2018

Arising Out of PS.Case No. -210 Year- 2017 Thana -BELA District- SITAMARHI

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Shatrughan Das, S/o. Manchit Das, R/o. Village- Dostiya W. No. 11, P.S.-
Sonbarsa, District- Sitamarhi.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Jha

For the Opposite Party/s : Smt. Suman Kumari Singh

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 18-08-2018 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 and 273 of the Indian Penal
Code and Section 30(a) of the Bihar Prohibition and Excise Act,
2016.

96 litres of Nepali saufi wine is said to have been
recovered from the damaged Sumo Gold Vehicle and accused
persons sitting in the said vehicle managed to escape.

It is submitted by learned counsel for the petitioner
that no incriminating article has been recovered from the
conscious physical possession of the petitioner. He has no concern
either with the seized liquor or with the vehicle in question.



During the course of investigation one accused, namely, Raja Kumar divulged the name of the petitioner as the hirer of the said vehicle due to animosity. Barring the aforesaid disclosure of the apprehended accused there is nothing on record to indicate the complicity of the petitioner in the occurrence. He was not apprehended on the spot. He has no criminal antecedent. He has been languishing in custody since 11.07.2018. Said co-accused, namely, Raja Kumar has been enlarged on bail by a co-ordinate bench of this court vide order dated 19.12.2017 passed in Cr. Misc. No. 58568.

Considering the facts aforesaid, 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 Act, Sitamarhi in connection with Bela P.S. Case No. 210 of 2017.

(Prakash Chandra Jaiswal, J)

Kr. Uday/-

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