

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2290 of 2018

Arising Out of PS.Case No. -767 Year- 2017 Thana -ARARIA District- ARRARIA

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1. Abhishek Pandey, Son of Baijnath Pandey @ Baidhnath Pandey,
Resident of Village- Tefari, Police Station- Piyar, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana

For the Opposite Party/s : Mr. Arun Kumar

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

02 23-01-2018

Heard learned counsel for the petitioner and learned

APP for the State.

The petitioner seeks bail in Araria(R.S.) P.S. Case No.767 of 2017 registered under Section 272 & 273/34 of the Indian Penal Code and Section 30 (a), 36 and 38 of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, 125 liters of foreign liquor is said to have been recovered from the Bolero and the petitioner and one another accused, namely, Subhash Kumar were apprehended.

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



happens to be the commuter of the said vehicle and he had no knowledge of keeping the aforesaid liquor in the vehicle and has no concern with the seized liquor. He has been falsely implicated in this case. He has no criminal antecedent. The petitioner has been languishing in custody since 08.11.2017. .

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 2nd Additional Sessions Judge-cum-Special Judge, Araria in connection with Araria (R.S.) P.S. Case No.767 of 2017 (Special Case No.3055 of 2017).

(Prakash Chandra Jaiswal, J)

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