

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54721 of 2017

Arising Out of PS.Case No. -125 Year- 2017 Thana -MOTIPUR District- MUZAFFARPUR

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Navin Kumar @ Navin Kumar Singh, S/o Umesh Singh, Resident of
Village- Tarwan, P.S.- Sahebganj, District- Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shyameshwar Kumar Singh, Advocate

For the Opposite Party/s : Smt Indu Kumari Srivastava, APP.

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

ORAL ORDER

4 24-01-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in Motipur P.S. Case No.
125 of 2017 registered under Sections 399, 402 and 412 of the
Indian Penal Code, Sections 25(1-b)a, 26 and 35 of the Arms Act,
Sections 20 and 22 of the N.D.P.S. Act and Sections 30(a) and 37
(a) of the Bihar Prohibition and Excise Act, 2016.

Some miscreants were apprehended by the police
and arms and ammunitions and intoxicating substance were
recovered from their possession. On the basis of confessional
statement of one of them namely Guddu Singh, the petitioner who
runs line hotel was apprehended by the police.

It is submitted by learned counsel for the petitioner



that the petitioner runs a line hotel at Dhanaiya, Motipur. He has neither any concern with the aforesaid apprehended accused persons nor with the seized liquor. As a matter of fact, police personnel used to pay visit at his hotel and take refreshment and meal without paying money and when the petitioner refused to provide the same without money, they falsely implicated the petitioner in the case. He does not happen to be member of any gang. There is nothing in the case diary indicating the complicity of the petitioner barring the confessional statement of Guddu Singh. The petitioner has been languishing in custody since 21.07.2017 on remand from another case. Though two criminal cases are pending against him, but he has been bailed out in the aforesaid cases.

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 3rd Additional Session Judge-cum-Special Judge, Excise, Muzaffarpur in connection with Motipur P.S. Case No. 125 of 2017.

(Prakash Chandra Jaiswal, J)

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