

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12859 of 2018

Arising Out of PS.Case No. -337 Year- 2017 Thana -MARHAURA District- SARAN

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Bhim Singh, son of Late Bir Bahadur Singh, resident of village Belkunda,
P.S. Jalapur, District Saran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh

For the Opposite Party/s : Mr. Satya Nand Shukla

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

02 06-03-2018

Heard learned counsel for the petitioner and learned

APP for the State.

The petitioner seeks bail in Madhaura (Gaura O.P.)

P.S. Case No. 337 of 2017 registered under Section 30, 38 & 41
of the Bihar Prohibition and Excise Act, 2016.

1062 liters of foreign liquor is said to have been
recovered from the truck and two bolero vehicles and 14 to 15
persons who were loading and unloading the liquor on the said
vehicles including the petitioner 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 been
falsely implicated in this case at the instance of his neighbour. He
has neither concern with the seized liquor nor with the aforesaid



vehicle. He was not apprehended on the spot. Though five criminal cases has been lodged against the petitioner but he has been acquitted in two of the said cases and is on bail in other two cases. He has been languishing in custody since 17.01.2018. Similarly situated co-accused persons, namely, Manish @ Manish Kumar @ Manish Kumar Singh @ Tinku and Guddu Tiwari @ Guddu Kumar Tiwary @ Tapes h Kumar Tiwary have been granted bail by coordinate Benches of this Court in Cr. Misc. No.49292 of 2017 and 49729 of 2017 vide order dated 28.11.2017 and 17.10.2017 respectively.

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 6th Additional Sessions Judge, Saran at Chapra in connection with Madhaura (Gaura O.P.) P.S. Case No. 337 of 2017.

(Prakash Chandra Jaiswal, J)

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