

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2096 of 2018

Arising Out of PS. Case No.-106 Year-2017 Thana- SAKRI District- Madhubani

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Anil Singh @ Anil Mahto S/o Late Ram Gulam Mahto @ Late Ram Gulam Singh, Resident of Village-Masina, P.S.-Khanpur, District-Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Adv

For the Opposite Party/s : Mr. SMT. SUCHETA YADAV, APP

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 08-02-2018 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner seeks bail in **Sakri P.S. Case No. 106 of 2017 (G.R. No. 472 of 2017)** registered for the offence punishable under Sections 272, 273/34 of the Indian Penal Code and Section 30(a), 36, 38(i) of Bihar Prohibition and Excise Act, 2016.

Informant who is S.H.O. of Sakri P.S had stated that he received information from Economic Offence Wing that a truck loaded with illicit liquor is going to pass through NH-57 and thereafter he constituted a raiding team and started checking the vehicles. In the meantime, at about 10:20 pm a truck coming from Darbhanga was stopped and driver and cleaner of truck were detained and they stated that sewing machine was loaded



in the truck but on search huge quantity of illicit foreign liquor was recovered i.e. 3029.76 litres and they were arrested. The driver and cleaner further stated that they have been asked to remain in contact with two mobile numbers who were moving on one Scorpio vehicle.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Illicit foreign liquor was recovered from the truck and the driver and cleaner of the truck were arrested, and his name transpired in this case on the basis of confession of driver Indrajeet Singh and Parmjeet Singh. It has been further submitted that the petitioner has not been arrested on the spot and only allegation against him is that he was in contact with the driver and cleaner of the truck, and has been implicated in this case on the said basis and nothing has been recovered from his conscious possession and is in custody since 29.10.2017.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned **Additional Sessions Judge-IIInd cum Special Judge, Excise Act, Madhubani**, in connection with **Sakri P.S. Case No. 106**



of 2017(G.R. No. 472 of 2017).

(S. Kumar, J)

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