

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24405 of 2018

Arising Out of PS. Case No.-8 Year-2018 Thana- HULASGANJ District- Jehanabad

Mantan Sharma @ Akshay Sharma @ Akshay @ Nilesh, Son of Ashok Sharma, Resident of Village- Kora, Police Station- Ghoshi, District- Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jharkhandi Upadhyay

For the Opposite Party/s : Mr. Kumar Virendra Narayan

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 30-04-2018 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner seeks bail in connection with Hulashganj P.S. Case no. 8 of 2018 registered under Sections 467, 468, 120(B) of the I.P.C. and Section 30(a) of Bihar Prohibition & Excise Act-2016.

180 lts. of foreign liquor is said to have been recovered from a vehicle bearing registration no. UP57AD-9872 and 285 lts. of foreign liquor from another vehicle bearing registration no. UP57AD-0771. Both the aforesaid seized vehicles are hailing to Manoj Kumar Singh and Mukesh Kumar respectively. Three accused persons and owners of the aforesaid vehicles were apprehended while one managed to escape. The apprehended accused Manoj Kumar Singh disclosed the name



of the petitioner as his fleeing accomplice.

It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from conscious physical possession of the petitioner. He has no concern either with the seized liquor or with the vehicle in question or with any trade of liquor. He has been falsely implicated in the case by apprehended accused Manoj Kumar Singh due to animosity. He was not apprehended on the spot. Though, two more criminal cases have been lodged against the petitioner, but he is on bail in the said cases. One of the apprehended accused, namely, Suraj Singh has been enlarged on bail by this Court vide order dated 15.02.2018 passed in Cr. Misc. no. 8167 of 2018. He has been languishing in custody since 05.04.2018.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Jehanabad in connection with Hulashganj P.S. Case no. 8 of 2018.

(Prakash Chandra Jaiswal, J)

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