

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24326 of 2018

Arising Out of PS.Case No. -145 Year- 2017 Thana -GOPALPUR District- GOPALGANJ

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Vijay Singh S/o Yogal Singh, R/o Ahiyarpur , P.S.- Gopalpur, Distt.-
Gopalganj.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Shubhesh Pandey

For the Opposite Party/s : Mr. Dr. Ajeet Kumar

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**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 a case registered for the
offence punishable under Sections 272, 273 and 414 of the Indian
Penal Code and Sections 30(a), (b) and (c) of the Bihar Prohibition
and Excise Act, 2016.

207 litres of country made liquor is said to have
been recovered from the car and its driver namely Vikash Rai was
apprehended. The said Vikash Rai in his confessional statement
disclosed the name of the petitioner to whom the said liquor was
to be delivered.

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 no concern either with the seized liquor or with the vehicle in question. He has been falsely implicated in the case by said Vikash Rai due to animosity. There is nothing in the record indicating the complicity of the petitioner barring the confessional statement of Vikash Rai. Though one more case under Excise Act has been lodged against the petitioner, but he has been enlarged on bail in the aforesaid case by learned lower court. He has been languishing in custody since 26.02.2018. Said Vikash Kumar Rai @ Vikash Rai has been enlarged on bail by a co-ordinate bench of this court vide order dated 17.01.2018 passed in Cr. Misc. No. 62811 of 2017.

Considering the facts aforesaid, 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 Addl. Sessions Judge, Gopalganj in connection with Gopalpur P.S. Case No. 145 of 2017.

(Prakash Chandra Jaiswal, J)

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