

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35388 of 2018

Arising Out of PS. Case No.-86 Year-2017 Thana- MEHANDIA District- Jehanabad

Sandeep Kumar Son of Ishwar Singh Resident of Village- Rauna, P.S.
Kharkhoda, District- Sonipat (Haryana).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjay Kumar Singh

For the Opposite Party/s : Mr. Pawan Kumar Chaurasiya

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

ORAL ORDER

4 16-07-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with
Mahendia P.S. Case No. 86 of 2017 registered under Section
30(a) of the Bihar Prohibition and Excise Act-2016.

846 lts. of foreign liquor is said to have been
recovered from a truck and petitioner who happens to be its
driver was apprehended.

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. He does not happen to be driver of vehicle in



question. He is a resident of district-Panipat, State of Haryana. Once upon a time, there was some altercation between petitioner and the informant over some matter and due to that reason, the informant apprehended the petitioner from Panipat on 11.04.2018 and falsely implicated in this case. The date of occurrence is 16.10.2017 but his custody is 11.04.2018 which itself vindicates innocence of the petitioner in the case. The seizure list does not bear the signature of the petitioner. He has no criminal antecedent. He has been languishing in custody since 11.04.2018.

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 Additional Sessions Judge-II, Jehanabad in connection with Mahendia P.S. Case No. 86 of 2017.

(Prakash Chandra Jaiswal, J)

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