

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32556 of 2018

Arising Out of PS. Case No.-207 Year-2018 Thana- HAJIPUR District- Vaishali

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Pappu Kumar S/o Sanjay Rai, R/o Vill.- Daudnagar, P.S.- Bidupur, District-
Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok

For the Opposite Party/s : Mr. Navin Kumar Pandey

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

ORAL ORDER

3 20-06-2018 Heard learned counsel for the petitioner and
learned APP for the State.

The petitioner seeks bail in connection with
Hajipur Town P.S. Case No. 207 of 2018 registered under
Section 414 of the Indian Penal Code, Section 25(1-B)A, 26
(II)/35 of Arms Act and Sections 48 and 52 of Bihar Prohibition
Excise Act-2016.

One loaded country made pistol and cash of Rs.
9,41,000/- was recovered from possession of Rajiv Rai and a
live cartridge from possession of the petitioner. Said Rajiv Rai
confessed the said money to be sale proceed of liquor.

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 alleged money or any trade of liquor. The motorcycle seized by the police is hailing to the petitioner. The confessional statement of Rajiv Rai recorded by the police has no evidentiary value in the eye of law. The petitioner has been falsely implicated in this case at the instance of his enemy. He has no criminal antecedent. He has been languishing in custody since 02.04.2018.

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 Special Judge, Excise Act-cum-Additional Sessions Judge-II, Vaishali in connection with Hajipur Town P.S. Case No. 207 of 2018.

(Prakash Chandra Jaiswal, J)

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