

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43708 of 2018

Arising Out of PS.Case No. -129 Year- 2018 Thana -BARAULI District- GOPALGANJ

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Anup Kumar Singh @ Anup Kumar, Son of Nilesh Kumar Singh @ Nilesh Singh, Resident of Village- Kakarkund (Kakarpur), P.S. – Gopalganj, District- Gopalganj.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Lokesh Kumar Singh

For the Opposite Party/s : Mr. Yogendra Kumar

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

2 19-07-2018 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 Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

121 liters of foreign liquor is said to have been recovered from Maruti Car and petitioner and co-accused Sanjay Manjhi were apprehended while other accused persons managed to escape from the said car.

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 the car in question. He has been



falsely implicated in the case merely on suspicion while he was passing through the place of occurrence at the time of occurrence and real culprit managed to escape. Similarly situated co-accused, namely Sanjay Manjhi has been enlarged on bail by a co-ordinate bench of this court vide order dated 13.07.2018 passed in Cr. Misc. No. 42114 of 2018. He has no criminal antecedent and has been languishing in custody since 30.05.2018.

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 Additional Sessions Judge cum Special Judge, Excise Act, Gopalganj in connection with Barauli P.S. Case No. 129 of 2018.

(Prakash Chandra Jaiswal, J)

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