

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43320 of 2018

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Mantu Singh @ Satyendra Singh S/o Birendra Singh, R/o Vill.- Singhauli,
P.S.- Basantpur, District- Siwan. Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner : Mr. Sanjay Kumar Singh, Adv.
For the Opposite Party : Mr. Arbind Kumar Pandey, APP-84

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

ORAL ORDER

2 18-07-2018 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 30 (a) and 41(i) of the Bihar Prohibition
Liquor and Excise Amendment Act, 2016.

129.6 liters of foreign liquor is said to have been
recovered from the Bolero vehicle and two accused persons,
namely, Ravi Kumar Singh @ Pintu Singh and Vicky Kumar
Chaurasia were apprehended while other persons managed to
escape. The apprehended accused named the petitioner as one of
their fleeing accomplices.

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 vehicle in question. He has



been falsely implicated in this case by the apprehended accused due to animosity. There is nothing on record to indicate the complicity of the petitioner in the occurrence barring the confessional statement of the apprehended accused which has no evidentiary value in the eye of law. He was not apprehended on the spot. Though three more criminal cases have been lodged against the petitioner but he is on bail in the aforesaid cases. He has been languishing in custody since 07.06.2018.

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-cum-Special Judge Excise, Siwan in connection with Goreyakothi P.S. Case No. 105 of 2018.

(Prakash Chandra Jaiswal, J)

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