

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45261 of 2018

Arising Out of PS.Case No. -154 Year- 2018 Thana -BIDUPUR District- VAISHALI(HAJIPUR)

=====

Kundan Singh, S/o. Rambabu Singh, R/o. Village- Gopalpur, P.S.- Bidupur,
District- Vaishali.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Rina Sinha

For the Opposite Party/s : Mr. Shantanu Kumar

=====

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 25-07-2018 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.

204 liters of beer is said to have been recovered from the Tata Sumo Car parked at the door of the petitioner and from near the toilet and two accused persons, namely, Rahul Kumar and Ravi Kumar were apprehended and petitioner and one another accused managed to escape alighting from the said vehicle.

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 or the place of recovery. He has been falsely implicated in this case by the apprehended accused persons due to animosity. Barring the disclosure made by the apprehended accused persons, there is nothing on record indicating the complicity of the petitioner in the occurrence. Petitioner was not apprehended on the spot. There is violation of Section 100 Cr.P.C. Though two 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 28.05.2018.

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 Act, Vaishali at Hajipur in connection with Bidupur P.S. Case No. 154 of 2018.

(Prakash Chandra Jaiswal, J)

Trivedi/-

U		T	
---	--	---	--

