IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46445 of 2018

Arising Out of PS.Case No. -193 Year- 2017 Thana -SAHIYARA District- SITAMARHI

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Vikash Singh, S/o Amrendra Singh, R/o Village – Mahadev Ward No.5, P.S.-Sahiyara, District-Sitamarhi.

.... 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. Satyendra Narayan Singh

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

2 31-07-2018 Heard learned counsel for the petitioner and learned APP for the State.

Petitioner seeks bail in a case registered for the offence punishable under Sections 272 and 273/34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

61.500 litres of Nepali saufi wine is said to have been recovered from the motorcycle and the petitioner and one other accused namely Kanhaiya Singh managed to escape dumping the aforesaid liquor laden motorcycle and were identified by the police during the course of escaping.

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

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either with the seized liquor or with the motorcycle in question. He has been falsely implicated in the case by the police merely on suspicion while he was proceeding towards his house and the real culprit managed to escape dumping the aforesaid liquor laden motorcycle there seeing the police party. He has been languishing in custody since 13.06.2018.

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 A.D.J.-II cum Special Judge, Excise Act, Sitamarhi in connection with Sahiyara P.S. Case No. 193 of 2017.

(Prakash Chandra Jaiswal, J)

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