

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48900 of 2018

Arising Out of PS.Case No. -99 Year- 2018 Thana -PIYAR District- MUZAFFARPUR

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1. Sandip Paswan S/o Suresh Paswan, R/o Vill.- Mali Nagar, P.S.-
Chakveshari, District- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Soni Shrivastava

For the Opposite Party/s : Mr. Lakshmi Kant Sharma

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

02 09-08-2018 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 Sections 272, 273, 120 (B) and 414 of the Indian Penal Code and Sections 30 (a), 35(a), 38 and 41 of the Bihar Prohibition and Excise Act, 2016.

247.5 liters of foreign liquor is said to have been recovered from the Fortuner vehicle which was unloaded from a truck and four accused persons including the petitioner were apprehended while other managed to escape.

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 police merely on suspicion while he was passing through the place of occurrence at the time of occurrence and the real culprit managed to escape seeing the police personnel. He has no criminal antecedent and has been languishing in custody since 14.06.2018. Similarly situated accused, namely, Sanjeet Kumar @ Sanju has been enlarged on bail by this Court in Cr. Misc. No.47485 of 2018 vide order dated 03.08.2018.

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, Muzaffarpur in connection with Piar P.S. Case No. 99 of 2018.

(Prakash Chandra Jaiswal, J)

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