

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.33617 of 2018

Arising Out of PS. Case No.-35 Year-2018 Thana- DANAPUR RAIL P.S. District- Patna

Manjit Kumar Singh S/o Late Kaushal Kishore Singh, R/o Vill.- Banka Town,
P.S.- Banka, District- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nilesh Kumar

For the Opposite Party/s : Mr. Sri Ajay Kumar-1

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 04-06-2018 Heard learned counsel for the petitioner and the
counsel appearing on behalf of the State.

Petitioner is in custody in connection with Rail
Danapur P.S. Case No. 35 of 2018 for the offence under Section
30(a) of the Bihar Prohibition and Excise Act, 2016.

The petitioner as per statement on affidavit in para-3
has no criminal antecedent.

The allegation against this petitioner as appears from
the First Information Report is that he was travelling in down
Ahmadabad Patna express and in the same boggy liquor were
found. On enquiry the name of the petitioner surfaced.

Learned counsel for the petitioner submits that
petitioner works at Baroda and on account of ailment of his
father he was in the way to his native village, unfortunately, he



was apprehended on suspicion and he was taken into custody. The father of the petitioner died on 27.5.2018. He submits that in the totality of the facts situation, the court has to consider the bonafide of the petitioner who was travelling all along from Baroda to his native village to see his ailing father who died on 27.5.2018 when the petitioner was in custody.

Considering the fact that the petitioner is in custody since 01.05.2018 and nothing was recovered from his conscious possession and the fact that the petitioner has no criminal antecedent, let the petitioner, named above, 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 learned Special Judge, Excise Act, Patna , in connection with Special Case No. 4121 of 2018, arising out of Rail Danapur P.S. Case No. 35 of 2018.

(Anil Kumar Upadhyay, J)

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