

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48879 of 2018

Arising Out of PS. Case No.-61 Year-2018 Thana- BARHARIA District- Siwan

Manoj Singh @ Langad @ Langra S/o Late Ramayan Singh @ Ramayan Prasad, R/o Vill.- Rasulpur, P.S.- Barhariya, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary

For the Opposite Party/s : Mr. Pranav Kumar

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

3 10-08-2018 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner seeks bail in connection with Barhariya P.S. Case No. 61 of 2018 registered for the offence punishable under Sections 272, 273, 308 and 34 of the Indian Penal Code and Sections 30 (a) and 41 (1) of the Bihar Amendment and Excise Act, 2016.

432 lts. of foreign liquor is said to have been recovered from community hall located in Village Rasulpur and one Dharmendra Ram was apprehended standing near the aforesaid hall, who disclosed the name of the petitioner as one of his fleeing accomplices.

It is submitted by learned counsel for the petitioner



that no incriminating article has been recovered from conscious physical possession of the petitioner. He has no concern either with the seized liquor or with the place or recovery or with any trade of liquor. He has been falsely implicated by the aforesaid apprehended accused due to animosity. Barring the aforesaid disclosure of apprehended accused, there is nothing on record indicating complicity of the petitioner in the occurrence. He was not apprehended on the spot. Though one more case under Excise Act has been lodged against the petitioner, but he is on bail in the said case. He has been languishing in custody since 13.05.2018.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds 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 Barhariya P.S. Case No. 61 of 2018.

(Prakash Chandra Jaiswal, J)

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