

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52739 of 2018

Arising Out of PS.Case No. -235 Year- 2017 Thana -BAHADURGANJ District- KISANGANJ

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Md. Barsatu @ Barsatu @ Md. Mukhtar, Son of Late Md. Akhtar @ Late Akhtar, Resident of village – Halim Chowk Khagra, P.S.-Kishanganj, District – Kishanganj.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amal Kumar Sinha

For the Opposite Party/s : Mr. Arun Kumar Singh -5

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

2 27-08-2018 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 Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

42.780 litres of foreign liquor is said to have been recovered from the Tata Magic vehicle and three persons including its driver 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 vehicle in question. He has been falsely implicated in the case. He is not named in the F.I.R. He



was not apprehended on the spot. He has no criminal antecedent. He has been languishing in custody since 17.07.2018. Similarly situated co-accused, namely, Ravi Kumar and Sarvan Kumar have been enlarged on bail by a co-ordinate bench of this court vide order dated 06.12.2017 passed in Cr. Misc. No. 57118 of 2017.

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 Addl. District and Sessions Judge-II cum Special Judge, Excise, Kishanganj in connection with Special Case No. 195 of 2018 arising out of Bahadurganj P.S. Case No. 235 of 2017.

(Prakash Chandra Jaiswal, J)

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