

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16167 of 2018

Arising Out of PS.Case No. -412 Year- 2017 Thana -TAJPUR District- SAMASTIPUR

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Mantoon Roy, Son of Late Ghuran Roy, Resident of Village- Chakmedhoul,
P.S.- Tajpur, District- Samastipur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dilip Kumar Roy

For the Opposite Party/s : Mr. Sri Nityanand

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

3 26-04-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in Tajpur P.S. Case No.
412 of 2017 registered under Sections 272 and 273 of the Indian
Penal Code and Section 30(a) of the Bihar Prohibition and Excise
Act, 2016.

525 litres of foreign liquor is said to have been
recovered from the Gumti and a maruti car parked in front of the
Gumti and petitioner was apprehended in course of escaping from
the place of occurrence.

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 with the Gumti or with the vehicle in question. He has been falsely implicated in the case by the police merely on suspicion while he was passing through the place of occurrence at the time occurrence. Chargesheet in the case has already been submitted. 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 24.12.2017.

Considering the facts aforesaid, the above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned 3rd Additional Sessions Judge cum Special Judge, Excise Act, Samastipur in connection with Tajpur P.S. Case No. 412 of 2017.

(Prakash Chandra Jaiswal, J)

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