

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2527 of 2018

Arising Out of PS.Case No. -292 Year- 2017 Thana -JOKIHAT District- ARRARIA

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1. Umesh Kumar Soni S/o Rajendra Prasad Swarnakar, R/o Village- Birpur Chowk Bathnaha, P.S.- Jogbani, District- Araria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana

For the Opposite Party/s : Mr. Lalan Kumar

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

02 23-01-2018 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner seeks bail in Jokihat P.S. Case No. 292 of 2017 (Special Case No.2681/2017) registered under Section 273/34 of the Indian Penal Code and Section 30 (a) & 38 (i) of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, 135 liters of foreign liquor is said to have been recovered from the Scorpio and three persons were apprehended.

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 been falsely implicated in this case on the disclosure of his name by the



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driver of the vehicle, namely, Dilip Kumar Sahni @ Dilip Sahni. Petitioner happens to be the owner of the said vehicle and given the said vehicle to Dilip Kumar Sahni for plying the same and he has no knowledge about carrying the said liquor by the said driver. He has no concern with the seized liquor. He has no criminal antecedent. The petitioner has been languishing in custody since 11.12.2017. Co-accused persons, namely, Dilip Kumar, Chandan Kumar Bahardar and Mukesh Kumar Bahardar who were arrested on the place of occurrence have been granted bail by a coordinate Bench of this Court in Cr. Misc. No.54960 of 2017 vide order dated 17.11.2017. .

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 2nd Additional Session Judge-cum-Special Judge, Araria in connection with Jokihat P.S. Case No.292 of 2017 (Special Case No.2681/2017).

(Prakash Chandra Jaiswal, J)

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