

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24907 of 2018

Arising Out of PS.Case No. -428 Year- 2017 Thana -BAKHTIARPUR District- SAHARSA

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Vikram Roy, Son of Sunil Ray, Resident of Sharda Nagar, Batraha Ward
No. 27, Police Station- Saharsa, District- Saharsa.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Satish Kumar Singh

For the Opposite Party/s : Mr. Sir Pawan Kumar Chaurasiya

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

2 01-05-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in a case registered for the
offence punishable under Sections 30(a) , 38(1) and 41(1) of the
Bihar Prohibition and Excise Act, 2016.

176.200 litres of country made liquor is said to have
been recovered from the Alto car and co-accused Ajay Kumar
Choudhary was apprehended while two other accused persons
managed to escape. Apprehended accused disclosed the name of
the petitioner as one of fleeing accused.

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 vehicle in question. He has been falsely implicated in the case by Ajay Kumar Choudhary due to animosity. Barring aforesaid disclosure, there is nothing in the record indicating the complicity of the petitioner in the occurrence. He has no criminal antecedent. He has been languishing in custody since 17.03.2018. Said Ajay Kumar Choudhary has been enlarged on bail by a co-ordinate bench of this court vide order dated 27.02.2018 passed in Cr. Misc. No. 11412 of 2018.

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 2nd Addl. Sessions Judge cum Special Judge, Saharsa in connection with Special (Excise) Case No. 585 of 2017 arising out of Bakhtiyarpur P.S. Case No. 428 of 2017.

(Prakash Chandra Jaiswal, J)

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