

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35860 of 2018

Arising Out of PS. Case No.-25 Year-2018 Thana- BASANTPUR District- Siwan

Prafful Kumar Singh @ Raj Singh S/o Kaushal Kishor Singh, R/o Village-Naini, P.S. Chapra Muffassil, District-Saran at Chapra.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh

For the Opposite Party/s : Smt. Renuka Ratnakar

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 22-06-2018 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner seeks bail in connection with Basantpur P.S. Case No. 25 of 2018 registered under Sections 272, 273, 308, 420 120(B), 201, 34 of the Indian Penal Code and Sections 30(a), 38 and 48(i) of Bihar Prohibition and Excise Act-2016.

3300 lts. foreign liquor is said to have been recovered from six vehicles and during course of investigation it was found that the petitioner who happens to be driver of one of the vehicle had arrived at the place of occurrence along with its owner and the aforesaid vehicles for purchasing wine.

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 vehicles in question. He has been falsely implicated in this case at the instance of his enemy. He does not happen to be driver of the alleged vehicle. He is not named in the FIR. His name has surfaced during course of investigation after three months of the occurrence merely on the tip-off of spy which has no evidentiary value in the eye of law. He has no criminal antecedent. He has been languishing in custody since 21.04.2018.

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 Additional District & Sessions Judge-II, Siwan in connection with Basantpur P.S. Case No. 25 of 2018.

(Prakash Chandra Jaiswal, J)

rohit/-

U		T	
---	--	---	--

