

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.43221 of 2018

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Arun Singh @ Anirudh Singh, S/o. Late bashistha Singh, resident of
village- Piprahia, P.S.- Bhagwanpur Hat, District- Siwan.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Anirudh Kumar Sinha

For the Opposite Party/s : Smt. Sahin Begam

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

ORAL ORDER

2 18-07-2018

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 420, 272 and 273 of the Indian
Penal Code and Sections 30(a), (b) & (c) of the Bihar Prohibition
and Excise Act, 2016.

1393 litres of foreign liquor is said to have been
recovered from the truck and its driver namely Dharmveer was
apprehended who disclosed the owner of the said liquor as
Jitendra Nagar and later on said Jitendra Nagar was apprehended
who disclosed the name of the petitioner as his partner in the trade
of liquor.

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 or with



any trade of liquor. He has been falsely implicated in the case by the said Jitendra Nagar due to animosity. Barring the aforesaid disclosure, there is nothing in the record indicating the complicity of the petitioner in the occurrence. He was not apprehended on the spot. Petitioner is not named in the F.I.R. Though twelve cases under Excise Act have been lodged against the petitioner, but it is due to highhandedness of the police. Out of the twelve cases, nine cases have been lodged against the petitioner on the basis of the confessional statement of the co-accused and in three cases, he is neither named in the F.I.R. nor his name surfaced in the course of investigation and he has been enlarged on bail in seven cases out of the aforesaid cases. He has been languishing in custody since 08.06.2018. Aforesaid Jitendra Nagar has been enlarged on bail by learned lower court.

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 Additional Sessions Judge, Gopalganj in connection with Kuchaikot P.S. Case No. 241 of 2017.

(Prakash Chandra Jaiswal, J)

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